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International Court of Justice

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Official Transcript of the International Military Tribunal in the Matter of The United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics against Herman Wilhelm Goering et al, Defendants, sitting at Nurnberg, Germany, on 27 May 1946, 1000-1300, Lord Justice Lawrence presiding.

MR. DODD: Mr. President, I would like to make certain that I did offer the following documents in evidence:

3914-PS, which would become USA-863; 3943-PS, which would become USA-864; and 3877-PS, which would become USA-865.

THE PRESIDENT: Give me the first one.

MR. DODD: 3914-PS, which is USA-863.

THE PRESIDENT: Yes.

BALDUR von SCHIRACH, one of the Defendants, resumed the witness-stand and testified further as follows:

CROSS-EXAMINATION (continued)

BY MR. DODD:

Q Mr. Witness, at the close of the session on Friday we had just handed to you a copy of the teletype message to Martin Bormann. I had read it to you over this transmission system. I wish to ask you now if you sent that message to Bormann.

A Yes, I did despatch that teletype message. And I should like to give an explanation in this connection --

Q May I interrupt you for a minute and ask, for the little while that we will be talking, that you wait a moment after the question is given. It would help with the interpreting. I will try to do the same. And perhaps we will work a little better together.

A First of all, then, I want to state why I was on terms of "Du," the friendly "you," with Bormann. Bormann comes from the same town where I come from. I knew him from Weimar, but only slightly. When in 1928 or 1929, he came to Munich he paid a visit to me and because he was the elder of us he offered me the "Du" on that occasion. We maintained that until in 1943 he

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on his own account, own initiative, dropped that form and addressed me in his letters with the less personal form of "Sie."

Now, as far as the text of this teletype message is concerned, we were in the third year of the war. The Czech population both in the former Protectorate of Bohemia and Moravia as well as Vienna had remained perfectly quiet. In the Protectorate conditions were almost like peacetime conditions. I had a very strong check of the population in Vienna. Because of the attempt on Heydrich's life I had to anticipate that there might be trouble in the Protectorate which no doubt would have serious repercussions in Vienna. This was the time when the German troops were advancing on the peninsula of Kertsch. It was a time when nothing could be allowed to happen behind our front. And simultaneously with the news of the murder of the Protector I received official notification that the attempt, as it is mentioned in this document, had been carried out by British agents and with a British weapon.

During that same month we had learned from Armed Forces reports that British Bombers had attacked living quarters in Hamburg and Paris and that they had attacked German cultural monuments at Kiel. Consequently I suggested reprisal measures, so as to ascertain the British guilt in this attempt to the world and so as to prevent serious trouble in Czechoslovakia. That's all I have to say. And this teletype message is genuine.

May I at this opportunity also come to a difficulty regarding translation during the cross-examination on Friday, if I may? On that occasion the German word, "Retter," was translated into English, "Saviour." A difficulty in translating from German and into English exists in this case. It is an expression which I have used in my book when I described the Fuehrer as a "Retter," a rescuer, a saviour. The difficulty is that you can only translate the German word with "saviour." But "saviour" in the German re-translation means "the holy man, the saintly man." So as to make it quite clear what the German "Retter" is meant to express in the English, I should have to use an auxiliary sentence and I would have to say that the exact translation would be "rescuer."

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In that case the worldly significance of the word is more clearly expressed. And in the comparison of a head of the State, or the description of the head of the State, as the "saviour," there was no blasphemy meant or intended. If I had written in German that the head of the State was a saint, then, of course, that would be blasphemy.

THE PRESIDENT: This sort of explanation should be kept for re-examination. It is not a matter which ought to interrupt the cross-examination.

MR. DODD: I have only one of two additional questions on the subject of this message.

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Q Were you thinking of some particular cultural city in Britain, like Cambridge, Oxford, Canterbury?

A No, I had no particular imagination in that connection. I thought that one ought to choose an objective which would correspond with the objectives hit by British bombers in Germany

Q As long as it was a cultural city. Were you thinking of what happened in Germany or of what happened to Heydrich?

A I was remembering that in Germany cultural buildings had been attacked and I wanted to use this opportunity and suggest that it should be made unmistakeably clear that the murder of Heydrich had not been committed from amongst the Czech population but that it came originally from circles of Czech emigrants in London and had been done with British support. In the case of this hitting back in the third year of the war, there should be a reply to the attempt against Heydrich, combined with the reply to the attempt of hitting German cultural monuments.

Q You did not make any reference in this telegram to any socalled or alleged bombings of cultural objects in Germany, did you?

A The Armed Forces communiques has already stated that. They had become generally known.

Q That is not what I asked you. Isn't it a fact that in this teletype you made no reference at all to the alleged bombing of cultural objects in Germany, nor did you relate your suggestion for the bombing of a cultural town in England to any alleged cultural bombing in Germany, but rather, you made it perfectly clear that you wanted to strike at a cultural town in England because of what had happened to Heydrich. That is so, isn't it?

A It was not at all necessary for me to point to the destruction of German cultural places. That was a fact that was known to the entire population of Germany from the daily attacks of British bombers.

Q I suppose by this time you knew very well the general reputation of Heydrich, did you not?

A No, that is not true. I had considered Heydrich in this particular case to be the representative of our Reich in Bohemia and Moravia and not the Chief of the Gestapo.

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Q Did you know his general reputation in Germany at least at that ti

A I knew that he was the Chief of the Gestapo. I did not know that h had committed that atrocities which have since become known.

Q You had no knowledge that he was considered "the terror of the Ges-tapo"?

A That is an expression which the enemy's propaganda used against hi

Q You mean you still think it is propaganda?

A No.

Q Well, was it through enemy propaganda that you heard that he was c led a terror before he was killed in 1942?

A No, I would not say that.

Q How did you know it?

A I merely want to state here that the Reich Protector Heydrich, as f as I was concerned, was a different person during this third year of the war than the Chief of the Gestapo. We were concerned with a political measure.

Q You did not content yourself with this suggestion to bomb England, did you? Do you recall what else you suggested not long afterwards?

A No, I don't know.

Q Do you recall anything that you either suggested or did by way of further so-called retaliation for the assassination of Heydrich?

A No, I have no recollection.

Q You suggested evacuating all of the Czechs out of Vienna didn't you

A That is a suggestion which did not originate with me personnaly but which goes back to something which occured in 1940 during a report of mine t the Headquarters and which the Fuehrer himself had said with reference to Vi I think I have already mentioned that during my own examination he said that Vienna was to become a German city and that the Jews, as well as the Czechs,

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were gradually to be evacuated from Vienna. I said that during my own statement here

Q My question is. Isn't it a fact that a few days after the assasination of Heydrich you suggested the evacuation of the Czechs from Vienna as a retalitory measure for the assasination of Heydrich?

A It is possible, but I have no recollection of it. It is possible that during the excitement caused by this event, which upset me a great deal, I might have said something like that.

Q I suggest that you take a look at document 3666-PS, which becomes USA 866, Mr. President.

Now, this document consists of excerpts from the record of a meeting of the Vienna City Council on June 6 1942, as you will see on page nine of the original. You were present, and according to these notes, you spoke as the Reichsleiter, Baldur von Schiracht and, moving down toward the bottom of that page, you will find this statement:

"Finally, he--" meaning you--" disclosed that already in the latter part of summer or in the fall of this year all Jews would be removed from the city, and that the removal of the Czechs would then get underway, since this is the necessary and right answer to the crime committed against the Deputy Reich Protector of Bohemia and Moravia."

Do you remember saying that?

A I have no exact recollection, but I consider that these records here are genuine, and they seem to represent the sense of what I said at that time. I was very much excited about Heydrich's death. I was afraid of serious trouble in Bohemia and Moravia, and I have expressed it.

The main point is that when I calmly thought about this plan, I dropped it, and that I did not do anything about it after that.

Q Well, in any event, I think it is perfectly clear--and I ask you if you do not agree---that you made the two suggestions, at least: one for the bombing of a cultural English town and the other for the wholesale evacuation of the Czechs from Vienna, because of the assasination of this man Heydrich.

A It is true that I have expressed the thought of such an evacuation of the Czechs. It is equally true, as a historical fact, that I dropped the thought and that it was never carried out.

It is correct that I suggested the bombing of a British cultural place as an ans-

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wer to the attempts against Heydrich and the answer to the numerous bombardments of German cultural places in the third year of the war during a time when they were vital matters for the German people concerned.

Q Incidentally, Hitler also suggested the wholesale evacuation of the Czechs from Czechoslavakia as a punishment for the murder of Heydrich, didn't he?

A I don't know about that.

Q Now I want to turn to something else and see if we can get through here rather soon this morning. You recall that on Friday we talked about your relationship with the SS and with Himmler, and I want to ask you this morning if it isn't a fact, Mr. Witness, that you worked very closely with Himmler and his SS from almost the earliest days right down to almost the last days of your regime in Vienna. I wish you would answer that question.

A I should like to answer that question in great detail.

Q It does not require great detail in the first answer, but later, if you feel that you have some necessary explanation, I feel you will be permitted to give it. Will you tell the Tribunal first of all, if you did closely cooperate with Himmler and his SS from the earliest days of your public office to the very late days of your public office?

A Close collaboration in that sense, that Himmler might have had considerable influence upon education did not exist.

Q Let us stop right there and inquire a little bit. Isn't it a fact that Himmler assigned SS personnel to your Youth organization for the training purposes of your young people? You can answer that very simply. Did he or did he not?

A Training purposes, educational purposes?

Q Yes.

A I don't know anything about that. The fact that liaison officers were there would not be unusual because practically all

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ministries and organizations had liaison officers, but I have no recollection of what you might be referring to.

Q. I think we had better clear this up first, and I ask you that you look at document 3931-PS, which is a new document which becomes USA 867, Mr. President.

THE PRESIDENT: It will become what?

MR. DODD: USA 867.

BY MR. DODD:

Q. Now, Mr. Witness, if you will look at this document, you will observe that it is a message which you sent to "Dear Party Member Bormann" in August of 1941. It is quite long, and there won't be any necessity, I am sure, for reading all of it, but I want to direct your attention to some parts of it that might help your memory with respect to the SS.

By way of a preliminary question, the SA apparently had suggested that it take over some of the training of young people,hadn't it, some time in the summer of 1941?

A. I think it was on Thursday that I said during my examination that in the spring of 1939 the SA had attempted to dominate the pre-military education of youth of two certain ages. I think that such attempts were repeated in 1941.

Q. You were complaining to Bormann about it when you wrote this message? You recall now, from just looking at the letter, that that is the whole substance of the letter -- a complaint about the attempt of the SA to directly control the training of some young people in the Hitler Youth Organization.

A. As far as this long telepring letter is concerned, I can not tell you anything about it without reading it through.

Q. Well, let's see. If you will turn -- It is the second page of the English text. You don't have any pages there. I think it is all one. It is all a teletype, but it is about -- not too far down on the first part of it. First of all, I want to have you see if you can find the statement that "The Hitler Youth has considered it necessary from the very beginning to make the Party itself the agency for the direction and administration of its military

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training." Do you find that passage?

A. No.

Q. Well, you will find the paragraph numbered (1) on your teletype, small Arabic number one. You will find they start to be numbered, (1), (2), (3), and so on. Do you find that, Mr. Witness?

A. I have got (1), yes.

Q. All right. If we hit someplace that we agree on, then we can move on. If you have found that number (1), that says that "For more than one year an agreement in draft form has been submitted to the SA--" Do you find that? "-- which requests that SA-cadre be furnished for the military training of the youth," and that the SA leadership did not comply with this request. Will you move down further in number (3), and following (3), three or four paragraphs, you will find -- it is in capital letters, by the way, what I want to call your attention to; I assume it is in capital letters in the German:

"I would be happy if the SA would put personnel at my disposal for support for this purpose, similar to the way in which the SS and the police have been doing for a long time already."

MR. DODD: In the English, Mr. President, that is at the bottom of page four and the top of page five.

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MR. DODD: In the English, Mr. President, that is at the bottom of page four and at the top of page five.

BY MR. DODD:

Q Did you find that sentence?

A I haven't found it yet.

Q It is almost at the end of the teletype. Have you found it?

A Yes.

Q You say there that you would be happy if the SA would put personnel at your disposal for support of this purpose, similar to the way in which the SS and the police have been doing for a long time already and you are referring -- if you will read back to the paragraph just ahead of that sentence -- to the training of the young people. You talk about Hitler schools and the training of Hitler youth. Now, it is perfectly clear, is it not, that you did have assistance from the SS, according to your own methods, from the SS and police for a long time before you sent this message?

A During the war, yes; since 1939 we had a war and when the war broke out we created army training camps, pr-army training camps and there I was looking after the training of youth. The army could not supply sufficient instructors and the SA couldn't do so either. The SS could place at my disposal a few young officers and so could the police.

Q So it was only from the beginning of the war that you had personnel from the SS and police for the training of young people was it?

A I do not believe that apart from that, we have used SS instrutors for anything. We had, as I have stated, a leadership corps, a leader corps, which came from the youngsters which we created.

Q I ask you again, do you want the Tribunal to understand that it was only from the beginning of the war that you had the assistance of SS and police personnel assigned to your youth organization for the training of young people?

A I cannot answer that question absolutely clearly and that is for the following reasons: Take skiing, for instance; if we had a training camp, then it was possible that one of the instructors might have been an SA man or an SS man because he happened to be good or interested in that

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sport but I can't think of any other case where such a collaboration has taken place.

Q Are you able to say that you did not have SS personnel assigned for training purposes; and I am not talking about some isolate ski-master, I am talking about a regular program of assistance from the SS to you in your training of young people.

A As far as pre-military training is concerned, it was only through this teletype message that I asked for training purposes. Apart from that, I do not recollect where any such collaboration has taken place.

Q Do you know the term "High-Action? "H-O-C-H-A-K-T-I-O-N."

A High Action?

Q Yes.

A I can't remember it. I do not know what it might mean.

Q Well, you have been in the courtroom every day. Don't you remember that there was proof offered here by the prosecution concerning the defendant Rosenberg and an action termed "High Action."

A No, I can't at the moment say that I do remember. I don't know.

Q Don't you remember that there was some talk here in the courtroom about the seizing of young people in the East and forcing them to be brough to Germany, forty or fifty thousand youths at the ages of ten to fourteen? You remember that, don't you, and that one of the purposes was to destroy the biological potentiality of these people. You don't know what I refer to?

A That is an action which I now remember in connection with this trial. The only thing I can say officially in that connection is this: It was during the war -- I can't tell you exactly which year -- Axmann informed me that he had accommodated a large number of young people near Junker's, the Junker's works at Dessau, in special hostels for this purpose, apprentices, and that these youngsters were extremely well accommodated there and very well looked after. I was not in any way concerned with this action before it took place but I have stated at the beginning of my examination here that as far as the action of youth in this war is concerned, I assumed responsibility and I adhere to that statement. I do not think, however,

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that youth is to be held responsible in this connection because I remember from fellow-defendant Rosenberg's statements, that he had complied with the wishes of the army and army group in that connection.

Q Well, we have the document here. It is already in evidence as USA 171 -- the Tribunal is familiar with it -- and I would like to call your attention to the fact that in this document it says that Rosenberg agreed to the program of seizing or apprehending forty to fifty thousand youths at the ages of ten to fourteen and the transportation of them to the Reich; it also said that this program can be accomplished with the help of the officers of the Hitler youth through the Youth Bureau of Rosenberg's ministry; and it also said that a number of these young people were to be detailed to SS and SS auxiliaries. Now, what I want to ask you particularly is what you know about that program and how the Hitler youth cooperated in it?

A I can't tell you any more about that program than what I have already stated.

Q You were in charge of the war commitment of the Hitler youth, weren't you, the Kriegseinsatz?

A The war commitment of German youth was directly under the orders of the Reich Youth Leader. As far as my own knowledge is concerned, I can only speak generally but not about special cases.

Q Mr. Witness, I ask you again, weren't you appointed and didn't you serve as the person responsible for the war commitment of youth in Germany? Now, I have got the document to show your appointment if you want to see it.

A Yes; I don't want to deny it. In 1939 and 1940, as long as I was the Reich Youth Leader, I have myself directed that war commitment.

Q I am talking about an appointment that was made even later than 1939 or 1940. You were appointed the person in charge of the war commitment of German youth by the Fuehrer at his headquarters in March of 1942, weren't you?

A Please, will you be good enough to show me this document -- but I consider it possible, I have no exact recollection.

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Q It is 3933-PS, US -868. You don't know you were appointed in charge of the war commitment for youth without being shown the document?

A No. Only, I can't tell you from my recollection what the exact date was. I had been under the impression that I had been responsible for the commitments beginning in 1939.

Q All right, that is all I wanted to establish, that you were in fact responsible for it and continued to be responsible for it right up to the end of the war. I understood you to say a minute ago that the Reich Youth Leader was the man responsible rather than yourself?

A No. I have said that I could only give you general information and no special information because the action is, regarding war commitment, a matter for Axmann; but I do not in any way want to influence my own responsibility by saying that.

Q Very well. I think we are sufficiently clear about the fact that you were certainly named to the position no matter how you now wish to "water" your responsibility. What do you say is the date when you first became responsible for the war commitment of youth?

A As far as my memory tells me, I had been responsible since 1939, at the outbreak of war, but I now see that this decree wasn't signed until 1942.

Q All right; we will agree then from that date, March 1942, you were responsible. Now, I want to ask you to look at another document.

A Just a moment, there is something I have to say to that. This is a draft and I don't know about that--when it might have been signed-- I can't say, therefore, that during these days of March in 1942, the actual decree was signed by Hitler--by Axmann. Here, Axmann is informing me that the draft of the decree is now going to the Chief of the Reich Chancellory, who will ask the Reich authorities for their agreement and that-----

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Q You do not need to read it, really. What are you saying now? Are you saying that maybe it was not signed, or maybe you were not appointed, or are you going to say that you were appointed? Will you please give us an answer?

A Not at all, really. I cannot say for certain that the date of the publication of this decree is definitely March, 1942. It may have been that it was not until May.

Q I am not attaching any great importance to the date. I want you to look at 345-PS, which we offer as U.S.A. 869. This may help you on this Heu-Action program; that is, with respect to your memory.

Now, this is a telegram that the defendant Rosenberg sent to Dr. Lammers at the Reich Chancellery for the Fuehrer Headquarters on the 20th of July, 1944. You will observe that in the first paragraph there is stated:

"In accordance with an agreement between the Reich Marshal as Supreme Commander of the Air Force, the Reichsfuehrer SS, the Youth Fuehrer of the German Reich and the Reich Minister for the Occupied Eastern Territories, the recruiting of youthful Russians, Ukrainians, White Russians", and so on, "will take place on a volunteer basis for Kriegseinsatz in the Reich", "Kriegseinsatz" being a program that you were responsible for clearly at that time.

Now, moving down, I want to call your attention to Paragraph 3, and I want to remind you of the Heu-Action paragraph that is already in evidence. This telegram says:

"On the basis of a suggestion by military offices, the seizing and turning over of youths between the ages of 10-14 into the Reich territories will take place (Heu-Action) in a part of the operational territory, since the youths in the operational territory present a not insignificant burden."

It goes on to say "The aim of the action is a further disposal of the youths by placing them in the Reich Youth Movement and the training of apprentices for the German economy in a form similar to that which has been done in agreement with the General Plenipotentiary for Arbeitseinsatz (GBA) with White Russian Youths, which already shows results."

I particularly call your attention to that last phrase, "which

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already shows results."

Then the last clause in the next sentence says "... these youths are to be used later in the occupied eastern territories as especially reliable construction forces."

You will observe that the last paragraph says, "The Actions under points 1 and 3 are known to the Fuehrer". And there is something about the SS help in regard to this action. You had set a time limit on that.

The next page of the document has the distribution, to the Reich Marshal, the Reichsfuehrer SS, the Reich Youth Fuehrer, and the Reich Minister of Interior, and down at the bottom, a Gauleiter Bureau, among others.

What do you know about this seizing of young people between 10 and 14 and the turning over of them to your youth organization in Germany during these war years, and about how many thousands of them were so kidnapped, if you know?

A I have already said that I do not wish to limit the responsibility which I assume in this connection. But it was not until later that I was informed of it. I was not the youth leader of the German Reich in that year; someone else was. This agreement is between him and the Reichsfuehrer SS and the Supreme Commander of the Air Force. But I --

Q (Interposing) Later you were the youth Reichsleiter of Germany, were you not; and you were also the war commitment officer of youth in Germany at this very time?

A I was at Vienna, and the date is the 20th of July, 1944. You will remember that the history-making events of that time were occupying all officials in Germany -- the Americans, to a considerable extent. Later on I heard from Axmann, and I know that the accommodation, training, feeding -- in fact, treatment -- of all these Russian youngsters were simply wonderful and outstanding.

Q You also know that even at this hour the Allied forces are trying to find thousands of these young people to return them to their proper place? Do you know that this morning's press carried an account of 10,000 peo le that are still unlocated?

A I do not believe that they are these youngsters who were accommodated in apprentice hospitals and who were living under exceptionally well

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organized circumstances, and extremely well trained for their profession?

Q You see, it is perfectly clear from Document 345-PS that this program was in fact in operation. The letter from Dr. Rosenberg says so. He says it had "already shown results." And so your youth organization must have had something to do with it before this message was sent.

A I have not denied that in any way.

Q All right.

A Within the organization of the Reich Ministry for the Occupied Eastern Territories, there were youth leaders acting there. And from what I have heard at the trial, I want to say that I can perfectly well understand that, as the generals in the east would say, the youngsters must be brought out of the combat zone. The point was that we wanted to take these youngsters from 10 to 14years of age away from the front,

Q With the help of the SS?

Now, I want to show you another document 1137-PS, which will give you some idea, if you do not recall, of what was done with these young people, and how many of them are involved.

That will become U.S.A. 870.

THE PRESIDENT: Mr. Dodd, there is a paragraph at the bottom of Page 1 of that document which relates to another defendant.

MR. DODD: Yes, your Honor. I am sorry; I overlooked that. I will read it for the benefit of the record, if I may, at this time.

BY MR. DODD:

Q Mr. Witness, I direct your attention back, if I may, to this document 345-PS, so that you will be aware of what I am reading. You will observe that in the last paragraph of Rosenberg's communication to Dr. Lammers, we find this sentence:

"I have learned that Gauleiter Sauckel will be at the Fuehrer's Headquarters on 21 July 1944. I ask that this be taken up with him there and then a report made to the Fuehrer."

Sauckel was participating in this kidnapping of 10-14 year olds, was he? Do you know about that?

A I have no knowledge of it. I cannot give you any information

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on that subject.

Q Now, this document 1137-PS begins with a message, an inter-office memorandum, dated the 27th of October, 1944, and it closes with a report by the Brigadier General of the Hitler Youth, a man named Nickel.

Do you know Nickel, by the way? N-I-C-K-E-L?

A The name is known to me, and possibly I knew him personally. But at the moment he does not mean anything to me. At any rate, he was not a brigadier general. He was a Hauptbannfuehrer.

Q All right. Whatever he was, he was an official of the youth organization. That is all I am trying to establish. I may have his title wrong. We have it brigadier general.

But in any event, if you look over this document, you will see that he is reporting about the seizing of these youths in the occupied eastern territory. This is October of 1944. And he begins by saying that on the 5th of March he "received an order to open an Office for the recruitment of youths 15 to 20 years of age from the population of the Occupied Eastern Territories for war employment in the Reich."

Then he goes on to cite figures, and he tells where he began his work: Lithuania, Estonia, Lettland, the middle sector of the Eastern front, the southern sector of the Eastern front. And then on the next page of the English -- and I imagine it is also on your next page -- it tells how they were classified, those that were brought back:

"1383 Russian SS Auxiliaries, 5953 Ukrainian SS Auxiliaries, 2354 White Ruthenian SS Auxiliaries, 1012 Lithuanian SS Auxiliaries."

Then he gets into the air force:

"3000 Estonian Air Force Auxiliaries", and so on.

Some went to the Navy.

I am not going to read all of it; but it gives you an idea of what distribution was made of these men, or young boys and girls, rather than men.

You will notice that a considerable number went to the SS.

A Hauptbannfuehrer Nickel shows a stamp on the letter which shows "Reich Minister for Occupied Eastern Territories." That means that he was not acting on behalf of the Reich Youth Leader's office, but on behalf of the

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Reich Eastern Ministry.

Q Yes. I also want to ask you if you will look at page 6. I think it is page 5 of the original, of your German. You will find what personnel Hauptbannfuehrer Nickel had for the purpose of the carrying out of his task. He had members of the Hitler Youth, so he says: 5 Leaders, 3 BDM leaders, 71 German Youth leaders as translators and assistant instructors, 26 SS Leaders, 234 non-commissioned officers and troops, drivers and translators, of the SS. And of the air force personnel, he had 37 officers, 221 non-coms, and so on.

Does that help your memory any with this program that your youth people were engaging in? Do you recall any more of it now?

A It does not help my memory at all, insofar as the little of this document that I know of it is concerned.

The activities of the Eastern Ministry in the Russian Territory are known to me, and I do not know what task the Hitler Youth Ministry personnel might have prepared. I assume responsibility for anything that was done on my orders, but something which was done by order from others must be the responsibility for others.

Q Let me show you something with respect to your answer that you have just made. That personnel, that I read out, you know, was only in one part of the program. And on the last page of the document you will see on how wide an area Nickel was operating. He was operating in cooperation with the Netherland Hitler Youth Operational Command, the Adria Hitler Youth Operational Command, the Southern Hitler Youth Operational Command in Slovakia and Hungary, the Lt. NAGEL special Command in refugee camps within the Reich, and then, interestingly enough, the field-offices in Vienna.

That is where you were located at the time, is it not? And you are telling the Tribunal youdid not know anything about this program and the partidipation of your Hitler Youth leaders?

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A I had no reports from Nickel. This report which is here in the document went to the Reich Ministry for occupied eastern territories, and just how far the Reich Youth Leader was being informed, that isn't known to me.

Q Do you mean to say --

A What I do know of this entire action I have very clearly told you in my statement as to the first of the Junker's work and the professional training which these youngsters were given in Germany. Apart from that I have no further knowledge.

Q Observe also, if you will, Mr. Witness, that your Hitler Youth Operational Command was inPoland and even in Northern Italy. And now I ask you once again, as the longtime Hitler Youth Leader, as the leader for the war com itment of youth, then Gauleiter in Vienna, with part of this program being carried on in Vienna and the whole program being carried on on this vase scale, do you want the Tribunal to believe that you know nothing about it?

A I have no knowledge of it but I assume responsibility for it.

Q You told the Tribunal in your direct examination that you wrote the letter to Streicher's "Stuermer".

MR. DODD: I would like to submit this in evidence, Mr. President, so that the Tribunal will have an idea of what it appeared like on the front page of the "Stuermer".

Q Perhaps -- if you would like to look at it you may of course, Mr. Witness. It is USA 871. I just wanted you to have a look at it before it was submitted. You know about it anyway.

A I have already made my statement about that the other.day.

Q Yes, I didn't wish to go into it further. What I do want to ask you, Mr. Witness, is do I understand you clearly when I say that from your testimony we gathered that it was Hitler who ordered the evacuation of the

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Jews from Vienna and that you really didn't suggest it or wish to see it carried out? Is that a fair understanding of your testimony of a day or two ago?

A I have stated the other day, and I repeat, that the idea of the evacuation of the Jews from Vienna was Hitler's idea which he communicated to me in1940 at headquarters. Furthermore, I have stated that under the impression of the events of those November days of 1938 I was actually of the opinion that it would be better if the Jewish population were accomodated in a closed settling area, because from time to time Goebbel's propaganda and Goebbel's actions made them the target. I want to state that quite clearly here to you. Furthermore, I have said in connection with the same matter, that therefore I will identify myself with that action without having carried it out.

Q Now you had a meeting at the Fuehrer's headquarters in October of 1940. Present was the Defendant Frank and the now notorious Koch whom we have heard so much about. Do you remember that meeting?

A I don't know for certain and exactly.

Q You mean you don't recall that meeting at all?

A October, 1940. At that time I went to the Reich Chancellory because that was the time when I was organizing evacuation of youngsters. It is possible.

THE PRESIDENT: You were asked whether you recalled a particular meeting in October, 1940 with certain, particular people. Do you remember it or don't you?

A I have no recollection of it. If I am shown a document, then I might confirm that.

BY MR. DODD:

Q Very well; that is what I wanted to know. I will now show you the document USSR 172. A part of this document was read over the system for the Tribunal by Colonel Pokrovsky. Now you will observe that on the 10th of October -- the 2nd of October, rather -- this is a memorandum, by the way, made up of the meeting. Mr. Martin Bormann compiled these notes

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so I assume he was the [illegible] too. After a dinner at the Fuehrer's apartment there developed a conversation on the nature of the Government General: "The treatment of the Poles and the incorporation already approved by the Fuehrer for certain districts of Zichenau." Then it says: "The conversation began when Reich Minister Dr. Frank informed the Fuehrer that the activities in the Government General could be termed very successful. The Jews in Warsaw and other cities were now locked up in the ghettos and Cracow would very shortly be cleared of them. Reichsleiter von Schirach, who had taken his seat at the Fuehrer's other side, remarked that he still had more than 50,000 Jews in Vienna whom Dr. Frank would have to take over from it. Party Member Dr. Frank said this was impossible. Gauleiter Koch then pointed out that he, too, had up to now not transferred either Poles or Jews from the District of Zichenau but these Jews and Poles would now of course have to be accepted by the Government General." And it goes on to say that Dr. Frank protested against this also. He said there weren't housing facilities. I am not quoting directly. I don't want to read all of it. And that there were not sufficient other facilities. Do you remember that conference now?

A Now you have refreshed my memory.

Q Yes. And you suggested that you wanted to get 50,000 Jews moved into Frank's territory out of Vienna, didn't you?

A That is true. The Fuehrer asked me how many Jews there were left in Vienna. I mentioned that during my own examination the other day and it is contained in the files, that at that time there were still 60,000 Jews in Vienna. During that conversation, when the question of settling Jewsin the Government General was being discussed, I also said that these 50,000 Jews from Vienna were also still to be transferred to the Government General. I told you earlier that because of the events of November, 1938, I had considered the Fuehrer's plan to take the Jews to a different settlement as a good plan.

Q Well now, later on, as youknow from USA 681 concerning which your own counsel inquired, Lammers sent you a message in Vienna and he said the Fuehrer had decided, after receipt of one of the reports made by you, that the 60,000 Jews in Vienna

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would be deported most rapidly, and that was just two months after this conference that you had with Frank and Koch and Hitler, wasn't it?

A Yes, since 1937 -- and I think that becomes clear from Haszbach's minutes -- the Fuehrer had the thought of taking the Jewish population outside Germany, but the plan didn't become known to me until August, 1940, when, because of the taking over of the Vienna district, I was reporting to him. At that time he asked me how many Jews there were in Vienna and I answered his question, and now they were to be settled in the Government General.

Q How many Jews did you, in fact, deport out of your district while you were the Gauleiter?

A First of all, the carryong out of that action wasn't in my hands at all. I don't know how many of those 6,000 Jews were actually transported for that purpose.

Q Have you any idea where they went to?

A I was informed that the aged were being taken into Theresienstadt and the others were being taken into Poland to the Government General. On one occasion when I took my oath, either as the Governor of the town or on the occasion of a lecture regarding children in Vienna, I asked Hitler how the Jews were being occupied and he told me in accordance with their professions.

Q We will get around to that. You remember, don't you, that they were sent -- at least some of them were sent to the cities of Riga and Minsk, and you were so notified. Do you remember receiving that information?

A No, I don't.

Q Document 2931-PS, which becomes USA-672. Now this is a communication concerning the evacuation of Jews and it shows that 50,000 Jews were to be sent to the Minsk-Riga area, and you got a copy of this report as the Commissar for the Reich. If you will look on the last page you will see an initial there of your chief assistant, the SS man Dellbruegge, and also the stamp of your office as having received it.

A I can only say that Dr. Dellbruegge put the matter in the files. It shows D.D.A. to the files.

Q You knew nothing of the report. Returning to the Jews, even though you had been talking to Hitler about it, that they were being moved out of

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your area, I suppose your chief assistant didn't bother to tell you anything about it. Is that what you want us to understand?

A Yes.

Q Now then, take a look at another document which will shed some light on this one. It is USA 808, already in evidence. It tells you what happened to the Jews in Minsk and Riga, and this was also received in your office if you recall. Maybe it isn't necessary to show it to you again. You remember the document -- that is one of those monthly reports from Heydrich where in he said that there were 29,000 Jews in Riga and they had been reduced to 2500, and that 33,210 were shot by the special unit, Einsatzgroup. Do you remember that?

A During these last two days I have looked at these monthly reports most carefully, and on this occasion I must make this principal statement, that on the cover, right-hand bottom, there is an initial something like Dr. FSCH. I think that is Dr. Fischer's initials. At the top they are not initialed by me but by the Government President, with the notiation that they should be put into the files. I myself had not read or seen them.

Q I am not asking you about any document like that, but I am claiming that these documents came into your organization and into the hands of your principal assistant?

A I must state in this connection that if they have been reported to me, then there must be a corresponding initial on it, either "Put before the Reichsleiter" or something like that, and the officials in question would then countersign and initial it. If I myself had seen the document, then it will have my own initials "WKE"; that means to my knowlege.

Q Yes. I want to remind you that the date of that report is February 1942, and I also want to remind you that in there as well Heydrich tells you how many Jews they had killed in Minsk. Now you made a speech one time in Poland about the Polish or the Eastern policy of Germany. Do you remember it, Mr. Witness?

A In Poland?

Q In Poland, yes.

A In 1939 I spent a short time in Poland and I don't think I was there after that.

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Q Your memory seems particularly poor this morning. Don't you remember speaking in Kattowitz on the 20th of January, 1942?

A That is Upper Silesia.

Q Upper Silesia, all right. Do you remember that speech?

A Yes, I made a speech at Kattowitz.

Q And did you talk about Hitler's policy for the Eastern territories?

A I can't tell you that from memory, what I said there. I have made many speeches.

Q Well, I will ask that you be shown D-664, which becomes USA-873. You were speaking to a group of Party leaders and German Youth Leaders.

A Yes.

Q Paragraph 7, you dealt with the tasks of German Youth in the east. The Hitler Youth had carried out political schooling along the line of the Fuehrer's easten policy and you want on to say how grateful you were to the Fuehrer for having turned the German people toward the East because the East was the destiny of your people. What did you understand to be the Fuehrer's eastern policy or did you have a good understanding of it at that time?

A This was said in Upper Silesia and it was spoken from gratitude that wehad that part of the country back.

Q Well, I didn't ask you that, really. I asked you if you then understood the Fuehrer's policy when you made that speech?

A I was, of course, standing under the impression of our victory over Poland at that time and the recovery of German soil, and I did affirm the Eastern policy.

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Q You not only affirmed it, but I want to know if you really understood it.

A I don't quite know how I should answer that question. Perhaps Hitler understood something quite different on the Eastern policy than I did.

Q But my point is; he had told you about it, hadn't he, some time before you made this speech?

You had better look back at that document you have in your hands, USSR-172, and you will find that after you and Frank and Koch and Hitler finished talking about deporting the Jews from Vienna, the Fuehrer then told you what he intended to do with the Polish people, and it is not a very pretty story, if you will look at it.

A Hitler is saying that the ideal picture would be for a Pole in the Government General to have only a small parcel of land sufficient for his own feeding and the feeding of his family. Anything else he might require in cash for clothing and additional food, he would have to earn through work in Germany. The Government General would be the central or parent office for retraining workers, particularly agricultural workers. The existence of these workers would be perfectly secure. They could always be used as cheap labor. This is a question of agricultural labor.

Q Let me read you a few excerpts that I think you have missed:

"The Fuehrer further emphasized that the Poles, in direct contrast to our German workmen, are born for hard labor..." and so on. "The standard of living in Poland has to be and remain low."

Moving over to the next page:

"We, the Germans had on one hand over-populated industrial districts, while there was also a shortage of manpower and agriculture. That is where we could make use of Polish laborers. For this reason, it would be right to have a large surplus of manpower in the Government General so that every year the laborers needed by the Reich could in fact be procured from there. It is indispensable to keep in mind that there must be no Polish landlords. However cruel this may sound, wherever they are, they must be exterminated. As I understand, there must be no mixing of blood with the Poles."

Further on, he had to stress once more that:

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"There should be one master only for the Poles, the Germans. Two masters side by side cannot exist. All representatives of the Polish intelligentsia are to be exterminated. This sounds cruel, but such is the law of life."

Stopping there for a minute, by the way, Mr. Witness -- you are a man of culture, so you have told the Tribunal -- how did that sentiment expressed by the Fuehrer impress you?

A I have never agreed with these opinions of the Fuehrer, and I have said that as far as the policy in the Ukraine in 1943 is concerned, I reproached the Fuehrer. In 1942, when I was talking about policy in the German town of Kattowitz in Upper Silesia, then I was, of course, not talking about this brutal Polish policy of Hitler's.

Q But you knew about it when you made the speech, didn't you?

A I didn't remember that two years later, and I didn't mean it either.

Q You forgot that Hitler said he must exterminate the intelligentsia, that you must be masters of these people, that they must remain at a low standard of living? Did that pass out of your mind so easily?

A On the occasion of that speech at Kattowitz, which I remember, I spoke about quite different matters, and I assume that the Prosecution even hav the shorthand record of that speech and you only need submit it here. This is only a short extract.

Q You see, Mr. Witness, the point is, knowing what the policy was, I would like to have you tell the Tribunal how you could urge and praise that policy to a group of young people and party leaders on the occasion of this speech in Kattowitz.

A The policy which I was recommending to youth leaders there was not that policy which Hitler developed in his speech.

Q Of course, you said it was the Fuehrer's policy in your speec, and you know what it was, but I won't press it further if that is your answer.

A I have already said once that quite often I was acting on the strengt of erroneous loyalty to the Fuehrer.

Q That is what I want to know. You were, weren't you, acting under an impulse of loyalty to the Fuehrer. Now you recognize it to be erroneous, and

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that is all I am inquiring for, and if you tell the Tribunal that, I shall be perfectly satisfied.

A Yes, I am prepared to admit that.

Q Very Well. And, Mr. Witness, now we are getting to it; that goes for all these things that went on.

A Not at all.

Q Don't you have to say to the Tribunal concerning your letter to the Stuermer and all of these things about the Jewish people to the young people, and this slow building up of race hatred in them, the cooperation with the SS, your handling of the Jews in Vienna, that for all these things you are responsible?

A No.

MR. DODD: Finally, I want to offer in evidence, Mr. President, some excerpts from these weekly SS reports to which I referred briefly on Friday, so that they shall be before the Tribunal. There are 55 of them, Mr. President, and they run consecutively by weeks, and they all bear the stamp of this defendant's office as having been received there, and they supplant the monthly report which was receivedup to the time that weekly reports began arriving.

We have not had all of them translated or mimeographed, and if the defendant wishes to put in any others, we will make them available, of course. We have selected a few as samples to illustrate the kind of report that was contained in these weekly reports, and I wish to offer them.

The first one is No. 1, beginning on May 1, 1942, and No.4, No. 6, No. 7, No. 9, NO. 38, No. 41, and No. 49.

Now I want to make this clear to you, Mr. Witness,out of fairness. Besides statements concerning what was happening to the Jews, you will find in these weekly reports a number ofstatements about the partisan affairs in the East as well. These excerpts have mostly to do with what happened to the Jews, and wehave, Mr. President, drawn out a great number that had to do with the partisans. There are a number, however, that do have to do with partisans and not with the Jews, so we wish there to be no doubt about how we offer these weekly reports.

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BY MR. DODD:

Q I just want to ask you, with respect to these weekly reports: Do you, this morning, recall that you did receive them every week in your office?

A But that isn't my office. My office is the central office. That office was run by the Regierungspresident as appears from the initials on the files, and as any official trained in German bureaucracy can confirm here, that office initialed the file through an official. Then it was put before the Regierungspresident and he initialed it. I couldn't know these documents at all.

Q Now just a minute. You were the Reich Commissioner for the defense of that territory, weren't you?

A Yes.

Q And that is the stamp that is on these weekly reports, isn't it?

A Yes.

Q Well, what do you mean by saying that it wasn't your office?

A Because the mail reached me by a procedure similar to that in a ministry where it goes to the office of a minister. It came to the central office, and then there would have to be a corresponding mark on these files. I can understand perfectly well, considering the burden of work which I suffered from, why such files which had no connection with my activities and which were informatory in connection with Russian events and the fight with Russia, weren't put before me at all by the Regierungspresident.

Q I am going to ask you again, as I have so many times in the course of this examination: Dellbruegge, who initialed these, was your principal assistant, wasn't he? Yes or no.

A He was one of my three deputies.

Q And he was also an SS man, and so was your other principal assistant, as we asked the other day.

A Dellbruegge was a high SS leader. He was a confidant of the Reichs Leader SS.

Q How did he happen to be working for you?

A He was put there.

MR. DODD: Mr. President, I don't think it is necessary to read any excerpts from these weekly reports. They have been translated into four

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languages, and -- well, I am misinformed. I thought they were translated. Then I think it would be better if we have them translated and submit them at a later date rather than take the time to read them now.

I have no further questions.

THE PRESIDENT: Perhaps we had better adjourn now.

(A recess was taken.)

H0141-0031

BY GENERAL ALEXANDROV:

Q Do you admit that the Hutler Jugend had the task of inculcating German youth and children, beginning with ten years of age, with Fascist ideology?

Do you hear mr?

A Yes, I understood the question this way, whether I would agree and admit that in the Hitler Youth I inculcated children from the age of 10 to 14 with Fascist ideas.

As I have already stated in my previous testimony, I did my duty and saw my mission, in order to educate the German youth--

THE PRESIDENT (Interposing): That is not an answer to the question. It is not necessary for you to tell us what you said in your previous evidence. Will you just answer the question: Do you admit that you inculcated, in the Hitler Youth, Hitler's ideology? You can answer that yes or no.

THE WITNESS: Icannot answer that question yes or no, because Fascism is involved. There is a tremendous difference between Fascism and National Socialism. I cannot affitm that question. I did educate the German youth to be National Socialists That I can admit.

BY GENERAL ALEXANDROV:

Q I would like you to confirm the evidence which you gave on the 16th of November, 1945, during your interrogation. You defined your personal attitude to Hitler in the following way; and I quote your evidence:

"I was an enthusiastic adherent of Hitler. I considered everything that he wrote and stated to be absolutely true."

A I did not say that, and that is not a record which was submitted to me. I never mentioned Hitler as a dicty, never. I remember exactly, General, that you interrogated me on this occasion, and I was asked whether I was an enthusiastic follower. I confirmed that, and I discussed the period of time at which I joined the movement, but I never set up the comparison which I am confronted with now, the comparison that I considered Hitler a dicty.

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Your evidence has been taken down, and I will repeat it:

"I was an enthusiastic adherent of Hitler, and I considered everything that he wrote and stated as an absolute truth."

Do you confirm this statement? Answer the question directly.

A The translation seems to be inexact, and I would like to have the question out precisely, please.

Q I will quote your statement again:

"I was an enthusiastic adherent of Hitler's, and my attitude towards everything he wrote and said was that it was the absolute truth." Is that right?

A I have just been accused now of having said that I was an enthusiastic adherent of Hitler's, and that I defined my attitude toward everything that he said and wrote. However, I could not have uttered any such nonsense, of having taken everything he said as the truth.

DR. SERVATIUS (Counsel for defendant Sauckel): May I give an explanation to this interpretation? In my opinion it would have to be stated correctly in German, "I considered as a revelation the things which he said", rather than "the truth". That seems to be a mistake in the interpretation.

BY GENERAL ALEXANDROV:

Q Your defense counsel has perhaps helped you to answer my question.

A General, that was not my defense counsel; that was the defense counsel for the defendant Sauckel.

If it is to be translated in such a way as "revelation", then of course the whole thing will have content and sense and will coincide with the things that I uttered and declared to you at that time when I described the Youth.

Q Very well.

In your book, entitled "The Hitler Jugend", it said-- and I quote page 17: "Hitler's book, Mein Kampf, is our bible." Do you confirm this? Did you write that?

A I added something to that in the book "The Hitler Youth Idea and Form", and I should like to say, first of all, I did write

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this book.

Q I would like to interrupt you. I do not need such detailed explanations, and I would like you to answer the question: Is that sentence contained in your book?

A I was just about to confirm that, but I would like to add something by way of explanation, and I should like to give this explanation at this point.

I said in this book--which I wrote in 1933, and which was published in 1934--that we could not give reasons for our beliefs, we just believed, and when Hitler's book Mein Kampf appeared, this book appeared to be a bible, a bible which we almost memorized so that we could answer questions of doubt. I wrote that at that time, that is correct.

Q I would like to put another question to you. Do you admit that the Hitler Jugend was a political organization which, under the leadership of the NSDAP, carried out the policy of this Party among German youth?

A The Hitler Youth was a large educational community on a political basis, but I cannot admit that it was led by the Party; it was led by me. I was a member of the Party leadership, and in that sense you might speak of an influence by the Party. However, I cannot see any reason for having to confirm it at this point; I have testified to this point already. It is correct that the Hitler Youth was the youth organization of the Party. If that is the sense of your question, I will admit that.

Q Yes, I just had that in view.

I would like to remind you of the tasks which Hitler had assigned for the education of youth. That is set out in Rauschning' book, which has already been submitted as documentary evidence before the Tribunal as USSR 378. I quote page 262 of that book:

"We will educate cool youth and exigent youth. Youth must possess all these qualities; it must be insensible to compassion, it must not possess any pity, and I would like to see in its glance the glance of a wild animal."

H0141-0034

You educated German youth in accordance with these demands of Hitler. Do you admit that?

A I will not admit the things that Mr. Rauschning has written and set down. Just by accident I was present at a conversation between Hitler and Rauschning and, judging from that, the things that Rauschning set down in his book represent an unfaithful record or reproduction of Hitler's statements. Just by accident I was a witness of a conversation like that.

As far as the training of youth was concerned, Hitler did not give me those directives or guiding principles which Rauschning sets down as the guiding principles.

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Q We did not ask you to give such a detailed explanation. I would like you to answer briefly the question I put to you. You have stated that Hitler Youth did not educate the German Youth in the militaristic spirit and did not prepare the German Youth to shoot aggressive wars. I would like to remind you of certain statements you made in that very same book, Hitler Youth, right here on page 83 of that book, the teaching of the younger generation of so-called Jungvolk. I quote:

"They are the bearers of the National Socialist Title. The manufacturers and the toy sellers are anxious because they do not need any toys. They are interested in selling tents, compasses and maps. It is a particular trait of our youth. Everything that is against our unity must be thrown to the flames." That according to these directives the German soldier learned the housing and billetting in occupied territories, is that true? Is that written in that book?

A That which is in front of me is set down in the book. That which I heard from the Interpreter is not set down in the book.

Q Well, then make your correction.

A I must ask that I be permitted to read the correct passage.

"The manufacturers of toys have complained that the boys, I am talking about young boys, do not wish to have toys any longer, but were interested in tents, compasses and other articles like that. I cannot help the manufacturer of Facist Toys for I feel that time of the Indians must be past. What is a savage in the American forest as compared to one who carries our flag? It is a pure remnant from the ethics of our fathers, not only the manufacturer of toys, but who today is wearing the cap of students, who today is better qualified than the units of Hitler Youth?

It is in a sense the heroic philosophy which is against our unit which has to be burned, and that, General, is the impression of the period of storm and stress of Youth aside from the social units.

Q According to your opinion, the philosophy is reduced to the point the children must no longer play with toys and must do other things. I don't see a great deal of difference between my quotation and yours.

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A I should like to remark that a national militaristic training of the German people seems behind that of the Soviet Union.

Q I don't consider that comparison very adequate. On page 98 of your book, speaking of Hitler Youth, you wrote:

"They strive to be soldiers of politics. Their model is Adolph Hitler." Did you write that?

A I haven't found the place, page 98?

THE PRESIDENT: The witness has admitted he wrote the whole book, hasn't he?

GENERAL ALEXANDROV: In order not to lengthen the proceedings we will pass to the next question.

BY GENERAL ALEXANDROV:

Q You have already spoken here of the Special Organization of Motorized Hitler Youth, you assert this organization had only it's party aim, is that right?

A In connection with the training of the motorized troops I said they made excursions into the Hinterland and I said as soon as I realized that the Motorized Hitler Youth had a pre-military significance I did not dispute this point at all.

THE PRESIDENT: Mr. Dodd cross examined the witness at very considerable length on these matters about the special units of Hitler Youth, and it really isn't any good to go over it all again.

GENERAL ALEXANDROV: Yes, Mr. President. Only a few moments. He explained the important elements.

BY GENERAL ALEXANDROV:

Q Did you have knowledge of the fact that at the end of 1938 the organization of Motorized Hitler Units consisted of Nazi detachments of one hundred thousand young men?

A Whether there were 92 detachments that I cannot tell you from memory. Is it the words I repeated

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through the translation or do you mean in our organization the exact strength of the motorized Hitler Jugend for 1938? I mentioned the figure either to Mr. Dodd or to my defense attorney and I gave all figures, exact figures in that respect.

Q No, I am speaking of 1938, and you give the number of one hundred thousand Hitler Youth and I would like you to confirm that. Do you have knowledge of this fact?

A From memory, in 1938 I cannot tell you whether there were one hundred thousand you th in the motorized Hitler Youth. It might have been sixty thousand, it might have been 120 thousand. I cannot tell. I do not know. I do not have the proof.

Q Yes, but I am quoting this number according to documents in our archives. I would like to recall the tasks of these organizations as these were set out in the newspaper, Abteilung, dated November, 1939. The preparation of the Youth Organization must be carried out in special instructional detachments, and furthermore in special motorized schools of National Socialist Motorized Hitler Youth. I quote this excerpt according to the Document Book of the Defense, Document 20, page 50 of the Russian text. I repeat:

"The official preparation of this organization must be carried out in special instruction detachments, and later in special motorized schools of the National Socialist Motorized Corps, but this applies only to Youths who have reached the age of eighteen. The course of instruction includes, besides practical matters, the training, orientation and also biological preparation of Hitler Youth, and those who fulfill successfully this course of instructionwill be admitted into the National Socialist Motor Corps or its complement." This looks very much like what youcall sporting tasks. Do you agree withthis?

THE PRESIDENT: We have heard a long commentary about these special units, and we really don't want to hear it any more. If you have any

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questions on new matters which haven't been dealt with by Mr. Dodd we shall be glad to hear them but we don't want to hear about whether there are sixty, a hundred thousand or a hundred twenty thousand Hitler Youth in the Motorized Corps.

GENERAL ALEXANDROV: But I am only repeating that which is in the Document Book.

THE PRESIDENT: We don't want to hear it.

GENERAL ALEXANDROV: I will pass on to the next question.

BY GENERAL ALEXANDROV:

Q You issued a directive for the preparation of the Camp of Hitler Youth, so called Hitler Jugend, in service. In this directive it shows a comparison of the theory of weapons and the theory of firing, targets, shooting, marching, exercises, topography and landscaping, also an appendix includes instructions for the utilization of a field camp. Are you acquainted with this directive? Do you consider that this also did not correspond to the aim of a military preparation of German Youth?

A About the training of Hitler Jugend I testified as to this last Thursday. I discussed this matter at length, and especially about the training which is set forth in the book "Das Archiv," and in that connection I remarked that this training in shooting was according to the rules of the international shooting and has been carried on according to international rules, and that the British education also recommended certain exercises as well as the book. I do not dispute that this book, Hitler Jugend in Service was given out by me and that it was a directive along general principles. I said that the other day.

Q You did not hear that the Hitler Youth played an important part in the fifth column in Poland and that also applies to Yugoslavia. The Yugoslavian Government has put at our disposal documents which estimated the participation of the Hitler Jugend Im Dienst, through the Hitler Jugend, and claims it as a fifth column on Yugoslavia territory. Do you have any knowledge of this fact? Do you know anything about this?

H0141-0039

A. The Hitler Youth was never active in the Fifth Column, neither Yugoslavia nor anywhere else.

Q. I will then quote excerpts from the official report of the Yugoslav Government. This has already been submitted to the Tribunal as USSR Exhibit 76. I quote from page 3 of the Tussian text of this document:

"The German Government and the National Socialist Party in a secret way organized German aggression; beginning with 1930 they had mass organizations of culture. Already in 1932 Dr, Jacob Avender was in favor of the unions of culture. In 1935 he was put at the head of active youth organizations which shortly after this began to be called the rejuvenating organization."

Do you know anything about this?

A. According to the reports which you have just mentioned, I can not make any statement I understood this much, that Bohle had some Youth leaders as his men there, but I cannot give you any exact date. As far as the question of Yugoslavia is concerned, I can tell you from my previous background that I had a very good relationship and good connections with Yugoslav youth, that the connections were amiable and friendly, and especially in the period before the war.

Q. I am not interested in that. I will try to help you then. I will quote from excerpts from a supplementary report of the Yugoslav Government which is submitted to the Tribunal as Yugoslav Exhibit 357. On page 8 of the Russian text of this document we read:

"Beginning with 1928 between the Volksdeutsche in our country an orientation movement begins toward National Socialism and the first groups of youth start going to Germany for special course of instructions. But before the war with the Soviet Union the greater part of these members became officers of the German Army. Besides the Youth organizations, a special SS division, Prinz Eugen, was formed."

Do you deny these facts?

Q. I can admit some. Some of this I have to refute. In other words, I have to give an explanation. Beginning with 1933 I tried to maintain and bring about a good relationship with Yugoslavia. Starting with approximately 1936 or

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1937 I extended invitations to Yugoslav Youth groups, as well as the Youth groups of all the European countries, and invited them to visit and look at our installations. Then Yugoslav groups in compliance with my invitation came to Germany. But that Yugoslav youth entered the German Army, I know nothing about that, and I do not believe it is so. But I can say that in the period of time when Prince Regent Paul was reigning in Yugoslavia there was a very close collaboration with the Yugoslavian youth. During the war, with Serbian and Croatian youth we maintained fine relations as well. German youth were there, and Serbian and Croatian youth were in the Germany. They were in German Youth Camps; they were in German leader schools and looked at our installations. That is perhaps everything I can tell you about this. But that was not only a relationship between us and Yugoslavia but a relationship which existed with many other countries as well.

Q. You did not understand me correctly. I was not speaking of the Yugoslavian youth. I was speaking of the German National minority youth of which this report speaks and who with the participation of the Hitler Youth prepared cadres of Fifth Column activity for diversional operations and the presentation of the SS units. That is what I was speaking about. Are you acquainted with these facts?

A. I know that ther were Volksdeutsche -- that is, German nationals -- in Yugoslavia as well as Rumania and other countries. I know that this German youth felt themselves to be Hitler Youth. When the German troops marched in, these people greeted the German troops. That I know also, but just how far they worked together, that is, between the troops and the youth -- that I cannot tell you about; but a working together, a collaboration, would be natural; of course, it would not be a military working together, but rather a collaboration which would work itself out with an occupational force when the youth belonged to the same nationality, something which would result in every case. But there was no espionage or any other activities like that involved.

Q. But the SS Division, Prinz Eugen, which was formed on Yugoslavian territory was completed in major part by Hitler Youth members of the National German minority in Yugoslavia and this occurred as a result of the corresponding preparation by

H0141-0041

the Hitler Jugend. Isn't that so? Do you admit that?

A I do not know how the divisions of the Waffen SS of whom there were many -- how they were recruited. It is possible that some German nationals were recruited in the locality involved, but I can't give you definite information. I have none.

Q I will quote from excerpts from two German documents. They have not yet been submitted to the Tribunal. The first excerpt is from a book by Dr. Janko Sepp, who was the Youth Leader in Yugoslavia, entitled "Speeches and Article She wrote:

"All our national work before the kst of September, 1939, depended on the help of the Reich. When on the 1st of September 1939, war began and when it first appeared impossible to receive further aid, there was a danger that all our work would have to be suspended. Further, the fact that I put at the disposal of the Fuehrer the entire German national group in the former Yugoslavian territory and that it gave him so many volunteer soldiers, is a subject of great pride for me."

I submit this as USSR-Exhibit 459.

The next excerpt is from an article, "We", something written in 1943 by Otto Kohler, who was leader of German youth in that territory. Dr. Kohler wrote in that article :

"Ninety per cent of our youth are also members of the organizations of the German Youth."

These statements ought to persuade you of the fact that diversionist activity and Fifth Column activity and the formation in some ranks of the German youth of Facist organizations was carried out on Yugoslav territory with the aid of the Hitler Youth. Please answer yes or no.

A No. But I should like to comment on these documents .

This Dr. Janko Sepp, the leader of the Volksdeutsche - the German nationals -- in Yugoslavia is not known to me, either by name or personally. I visited Yugoslavia several times in the past and neither in the time I believe when I was there for the first time in 1937 or later on in 1939 when I visited Prince Regent Paul did I concern myselg with the leaders of youth. On those visits I dealt only with national Yugoslavian leaders. And that is my comment

H0141-0042

on the first document. This document does not seem to apply to youth at all.

And the second document, which is signed by one Otto Kohler, who calls himself the Hitler Youth Leader in Group 7 -- as to that I can only say it seems to be taken from a book about German Youth in Hungary in 1933 where in the Batschka we had a large settlement of Germans, people who had been living there 150 to 200 years, and this Youth leader organized German youth there, but with the approval of the Hungarian Government with the permission of the Hungarian Minister of Education and in collaboration with other Hungarian offices and agencies. It was an entirely legal measure and because of this there was no controversy between the two countries involved. The young people were not members of the German Hitler Youth but they belonged to groups which were minority groups in Hungary.

Q And, did the Reich leadership of Hitler Youth have any relationship to similar organizations abroad?

A Of course, we visited these youths. If, for instance I was a guest in Budapest the Hungarians themselves offered to have me visit German youth and German villages. The administrator had no objections, nor did any office of the Government. And there was no reason why I should try to have espionage work in Hungarian Youth leaders with whom I was on very good terms.

H0141-0043

Q. But there was a special foreign section in the Reich Leadership of the Hitler Youth. Was not its task the leadership of the German Youth Organizations abroad?

A. That is not correct. It is not correct. The Auslandamt of the Reich Youth Leadership, was, if I may say so, the foreign office of the younger generation. The task of the Auslandamt was maintaining contacts with other national youth organizations. That is, the leaders of youth abroad were to be invited to Germany and return visits by germans would be organized abroad and along the lines of the foreign offices. This office turned to the Foreign Office, and the Foreign Office would turn to the Ambassador of the country involved.

The organization of youth abroad in foreign countries to which you are referring was the subordinate organization of the N.O., and chief of this unit, Gauleiter Bohle, has already been heard in this proceeding.

In foreign countries youth consisted of German national youth; that is, youth who were German nationals abroad, who formed units of the Hitler Youth. In, let us say, Budapest, the children of the German colony, starting with the children of the German Ambassador.

THE PRESIDENT: Surely, defendant, it is not necessary to make such a long speech about it.

BY GENERAL ALEXANDROV:

Q. You are giving too many details.

In the Ministry of the Eastern Occupied Territories, a special youth department was created in the first Hauptamt. What do you know about this office and what was its relationship to the Reich Leadership of youth? Please answer briefly.

A. From my knowledge, I can say that at the forming of the Reich Ministry for the Occupied Eastern Territories, Reichsleiter Rosenberg at that time expressed the wish that he wanted a collaborator for the Division Youth and to have this collaborator in the Ministry. This collaborator was appointed. He was taken into the Ministry, and there he was the head of the Department Youth. He was, of course, under the responsibility of the Ministry for the East. More

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I can not tell you about that. The reports from this sector did not come to me.

Q. You mean that this representative was transferred to the Ministry for Eastern Occupied Territories and that this gentleman did not send in any report to the Reich Youth Leadership; is that right?

A. General, I wanted to say that the head of this department, this official, whatever he was, in the Eastern Ministry who came from the Hitler Youth, did not report to me. He naturally reported to his immediate superior in the Reich Youth Leadership, and this group was in Berlin, and I assume that the collaborators of the staff of the Reich Youth Leadership were in constant touch with him.

Q. As I understand it, the measures that were carried out by the Youth Office in the Reich Ministry of Eastern Occupied Territories were carried out with the knowledge of theReich Youth Leadership; is that right?

A. Measures which were carried through there were carried through, of course, according to principles laid down by the Reich Minister, who was the immediate superior of these officials. As far as we were dealing with youth measures, the treatment of youth, anything like that specially, I am sure that the Youth Leader or the official involved told the Reich Ministry and was informed, but as far as responsibility was concerned, the Minister is always responsible, not the place from which the Youth Leader comes from.

Q. To the question put to you by your Defense Counsel regarding the participation of the Youth in the was excesses, you answered that the data supplied by the Polish State Commission were not true.

GENERAL ALEXANDROV: Gentlemen of the Tribunal, the Soviet Prosecution have had occasion to go into this matter deeper and I now submit to the Tribunal excerpts from the testimony of the witness Vasso, dated 16 May 1946, and I would like to submit it as USSR Exhibit 455. I shall now read the excerpts into the record:

"Not only adult Germans and old Nazis, but German youths in the person of representatives of the organized Facist Hitler Jugend Organization in Lwov took part in atrocities committed on Jewish, Polish and Soviet population of the town of Lwov. Dressed in uniforms and armed with hunting knives and often

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pistols, they broke into Jewish apartments in the towns and carried out depredations there, killing everybody, aged persons and children. They often stopped children whom they considered suspect and whom they met on the street and, with the cry of "You are a Jew" or "You are a Jewish girl", killed them on the spot.

"This Hitler Youth occupied itself with special reconnaisance work for ascertaining the location of Jewish apartments and hunted for Jews in hiding, organized raids and attacked passersby, killing some of them on the spot, or dragging them into the Gestapo headquarters.

"Their victims were both Jews and Poles, Russians, Ukrainains and citizens of other countries.

"This terror on the part of adult and young Germans was carried out until the last days of their stay in Lwov. This was especially apparent during the carrying out of so-called actions in the Ghetto when the children of various ages who were sheltered in specially created nursing homes were systematically exterminated according to plan."

I end the reading of the statement.

Thus did the Hitler Youth in the service of the German army take part in the carrying out of these atrocities. Do you admit this?

A. I do not believe a word of what is contained in this document.

Q. Well, that is your affair.

GENERAL ALEXANDROV: Mr. President, I am submitting to the Tribunal another document USSR 454, excerpts from the testimony of the German prisoner of war, Gerd Bruno Knittel.

Gerd Bruno Knittel was born in 1924 in Saxony. After 1938 he was a member of the Hitler Youth. His sister was also a member of the National Socialist League of German girls. In 1942 -- that is to say, when he was 18 years old -- he was called up into the German army. Thus, he is a typical member, representative of the Hitler Youth, and therefore his testimony is of interest. This is what he relates about his service in the German army. I read:

"Not less than twice a week, we were called upon to comb out the forests."

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DR. SAUTER: Mr. President, against the use of this document -- we have received a copy of it -- I should like to protest from what I have in front of me. It does not follow at all, it is not seen at all whether this document was actually signed and, further, we cannot see whether this document was sworn to and, further, we cannot see who took down this document which seems to be a record and, in my opinion, these questions have to be clarified and until this clarification has taken place, I must object. Perhaps, Mr. President, in this connection, I might like to comment on the other document as well, a document which was read previously, dealing with the testimony of Eda Vasso -- I am not absolutely sure of the name: it seems to be illegible, but I assume that this female witness is identical with the same French National Ida Vasseaux, that they are the same person about whom you gentlemen have granted a questionnaire and to whom I have submitted my questions. We are waiting for the return of our questionnaire and her answers. Today, we received a record which supposedly refers to the same female witness, dated the 16th of May 1946: and now, here --

THE PRESIDENT: I am not following quite what you are saying. Are you saying that you have issued a questionnaire to the person who is alleged to have made this document?

DR. SAUTER: I assume for sure that it is the same person, your Honor. In the record of the 16th of May, the name is spelled differently but it would have to be remarkable.

THE PRESIDENT: I am not hearing what you are saying. Are you saying that you issued a questionnaire to the person who made this document?

DR. SAUTER: Yes. The High Tribunal has granted a questionnaire to a French woman, Ida Vasseaux. I will spell the name -- V-A-S-S-E-A-U-X. That is the French woman Eda Vasso who is in an institution in Lemberg, who was working there, and who is mentioned in the Lemberg Commission Report. You perhaps remember, Mr. President, in one of these reports it says that children were taken from the ghetto and given to the"HJ", the Hitler Youth and that the Hitler Youth used these children as live targets, and that is the witness Eda Vasso, and I believe with certainty that it is the same Ida Vasseaux who is mentioned in the record of the 16th of May 1946. The remarkable thing is that

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in the report of the 16th of May 1946, she does not mention these points according to which she is being interrogated in the questionnaire. Instead, she makes further assertions here which she did not make in the Lemberg Commission Report. This seems to be a very mysterious matter and I believe that I would do an injustice to the defendant von Schirach if I did not call your attention to these contradictions.

THE PRESIDENT: We would like to hear you in detail, General, in answer to what Dr. Sauter has said.

GENERAL ALEXANDROV: Ida Vasseaux, whose excerpts I have read, is certainly the same person of whom Dr. Sauter is speaking. I do not know to whom the interrogatory was addressed or sent. This was not done through our office. Ida Vasseaux was interrogated according to our own initiative and we only could do so on the 16th of May. A special interrogatory was not received by us. We did not send it and we could not do so because the evidence was given only --

THE PRESIDENT: I have only got this document here in German and it doesn't appear to be a document signed or made by a person called "Vasseaux" at all. I don't know whether it is dealing with something that Ida Vasseaux is alleged to have said.

GENERAL ALEXANDROV: This document is signed.

THE PRESIDENT: I said it wasn't signed by Vasseaux.

GENERAL ALEXANDROV: This document is signed Ida Vasseaux and the signatures of those who carried out the interrogatory -- the head of the department of the Lwow (?) district, Sirinowsky, and the prosecutor Nekonetov. An interrogatory was carried out on the 16th of May 1946.

THE PRESIDENT: Look at this document and see if it is the right document.

GENERAL ALEXANDROV: Yes, these are excerpts from the interrogation of Eda Vasso.

THE PRESIDENT: Is that the document?

GENERAL ALEXANDROV: Yes, yes, that is the same document which we are now submitting to the Tribunal.

THE PRESIDENT: Is that the original you have got before you?

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GENERAL ALEXANDROV: No, this is an excerpt from the record, certified by the Chief of Documentation of the Soviet Delegation, Colonel Karev. This is not the original protocal record of the interrogation. These are excerpts from this record.

THE PRESIDENT: Are you saying that it is a document which is admissible under Article 21 or what are you saying about it?

GENERAL ALEXANDROV: We are submitting it. If the Tribunal considers that it is necessary to bring out the original of the protocol, we will be able to do so in a short time. We do not have yet the original copy of the protocol but, of course, if the Tribunal is not satisfied with these excerpts, we will very well be able to submit the entire protocol.

THE PRESIDENT: Will you tell us what the document is? Is it an affidavit, is it sworn to, is it made before an official of the Soviet Union?

GENERAL ALEXANDROV: There is a note here. According to Article 89 of the Penal Code of the Ukraine -- USSR, this document is certified. This corresponds to the official demands of the Penal Code of the Soviet Union and, therefore, these conditions were carried out during the interrogation of Eda Vasso; and this is mentioned in this document.

THE PRESIDENT: Are you saying that it is a document which falls within Article 21 of the Charter?

GENERAL ALEXANDROV: Yes, but if the Tribunal consider it necessary, we will be able later to submit the original copy of the record; only, I would like you to

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accept now these excerpts which have been certified by the documentary division.

THE PRESIDENT: Dr. Sauter, what is the date on which your interrogatory was allowed by the Tribunal and what was the date on which it was sent out to this person?

DR. SAUTER: Mr. President, my interrogatory bears the date of the 11th of April.

GENERAL ALEXANDROV: The interrogatory could not be sent in because we did not know where the witness Vasseaux was. We only found out about that recently.

THE PRESIDENT: You mean that the interrogatory has not been administered to the person who made this statement?

GENERAL ALEXANDROV: This interrogation could not have reached its destination because, I repeat, we didn't know until quite recently where the witness Vasseaux was.

THE PRESIDENT: When you did find out where the witness was, the interrogatory could have been administered.

GENERAL ALEXANDROV: Yes, yes, and it can be done now if you consider it necessary.

DR. SAUTER: Mr. President, I should like to point out the following: This woman Ida Vasseaux at the time of this affidavit, which is mentioned in the Commission Report, she was present at Lemberg then and this fact may be seen from the report. I believe it is USSR 6 but I do not recall the exact number of the document; and, now, on the 16th of May of this year, this woman Vasseaux was at Lemberg as well; therefore, the woman is not of an unknown whereabouts. She was interrogated on the 16th of May. Regarding the interrogatory which was submitted to Vasseaux, I spoke with the prosecution about the drawing up of the questionnaire. There was some question as to the questions and I was told that something was not in good order. The questions which I submitted to the High Tribunal were drawn up according to the wishes of the prosecution; therefore, this Ida Vasseaux, if the Soviet Delegation is agreeable to this, this woman can be interrogated at any time,

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and to appear here in the courtroom. It is remarkable that in this later statement, this woman testifies to something entirely different from what she set forth in her previous statement and something entirely different from which she is to testify according to the interrogatory and I am of the opinion ---

THE PRESIDENT: Wait a minute, what previous statement do you mean?

DR. SAUTER: Of the statement in the Commission Report, the statement given by the Commission in the City of Lemberg. This Commission Report was read and it says that the Hitler Youth carried out these activities with the children and my questionnaire, which you allowed me, deals with this point.

THE PRESIDENT: General, were the interrogatories submitted by Dr. Sauter shown to the witness Vasseaux?

GENERAL ALEXANDROV: No, it was not even sent here. This interrogatory was not sent to the witness. May I come back to the history of this interrogation? The Soviet Prosecution submitted a review of a document, a report of the Extraordinary State Commission, Lwow (?) of the German atrocities of the Lwow district. In this document there was a statement of witness Vasseaux -- she was not interrogated then -- in which she stated that she witnessed how the Hitler Youth used as targets small children and the statement ended there. This document was accepted after that on our own initiative. Dr. Sauter's interrogatory did not come to us and we did not send it out. Ida Vasseaux was identified. We found out where she was and in addition to that which she said to the State Commission, she was interrogated in Lwow and the excerpts from her interrogation on the 16th of May are now being submitted to the Tribunal. She dwelt on certain details.

THE PRESIDENT: We all understand that, General, but the question is: Why, if interrogatories had been allowed by the Tribunal and had been seen by the prosecution and were dated sometime in April, why was the witness interrogated in May without having seen these interrogatories? This document is dated the 16th

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of May 1946, isn't it, Dr. Sauter?

GENERAL ALEXANDROV: Yes.

THE PRESIDENT: Dr. Sauter tells us that interrogatories allowed by the Tribunal were dated in April.

GENERAL ALEXANDROV: I do not know to whom Dr. Sauter addressed his interrogatory. I repeat that we did not receive this interrogatory and could not send it on, for we did not have any data on Ida Vasseaux's residence. When we did find out where she lived, we carried out an interrogation and that happened on the 16th of May.

THE PRESIDENT: The Tribunal will adjourn now.

(A recess was taken until 1400 hours.)

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(Hearing reconvened at 1400 hours, 27 May 1946)

THE PRESIDENT: General Alexandrov, the Tribunal will not admit --. Can you hear?

GENERAL ALEXANDROV: Yes.

THE PRESIDENT: The Tribunal will not admit this document at the present time, but it would wish that you should present the original document and at the same time the answers to the interrogatories which the Tribunal has ordered; and the Tribunal will call upon the General Secretary for a report upon the whole matter.

GENERAL ALEXANDROV: Mr. President --

THE PRESIDENT: Yes.

GENERAL ALEXANDROV: I had a chance to talk this over with Dr. Sauter, and he said that we can --.

THE PRESIDENT: I am afraid it is not coming through to the interpreter. Will you say what you said again?

GENERAL ALEXANDROV: Very well. I repeat that during the recess I had a chance to talk to Dr. Sauter, who gave me the interrogatory and stated that measures will be taken to get the concrete replies from the witness; also the request of the Tribunal to get the original of the document will be complied with as soon as possible.

May I continue now with my interrogation?

THE PRESIDENT: Yes.

BY GENERAL ALEXANDROV:

Q I stopped at the testimony of Gert Brunno Knittel. Here is what he relates about his service in the German Army:

"Not less than twice a week we were sent to comb the forest to catch guerillas and to look for distontent against the German regime, so that these people could be arrested and shot immediately. Our third regime had caught and shot five peasants, in the woods. Most possibly these persons were not even partisans or guerillas, but merely citizens who went into the woods for personal pleasure. But we had an order to whomever we met in the woods, and this is precisely what we did.

"One day in June, 1943, in the village of Lischaysk we surrounded the whole village and the woods around that village so that no one could leave

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or enter the village. Outside each house in the village --

THE PRESIDENT: (Interposing) You are cross examining the defendant von Schirach who was in Vienna. What has this document got to do with him?

GENERAL ALEXANDROV: This is the testiomny of one of the members of the Hitler Jugend regarding his participation while in service in the German Army in the occupied territory. This is the document accepted by the German defense. I do not have to read it here, but I would like Witness von Schirach to look at the document and to become acquainted with it.

BY GENERAL ALEXANDROV:

Q Have you got that document, witness? I am asking this of you now, Mr. Witness, Have you read that Document?

A Yes, I have read the document. This man Keitel who is testifying here was not a member of the Hitler Youth, but either of the Labor Service or a member of a unit of the armed forces. At a prior period of time in his life, just like all the other young Germans, he had been a member of the Hitler Youth. He states that here. He acted as a member of one of the armed forces, not as a member of the Hitler Youth. The entire testimony seems to be of little credibility. Among other things he mentions --

Q (Interposing) Have you read all of the testimony that is given there?

A Yes.

Q In connection with that testimony, I have a question to ask you. Do you admit thatmembers of the Hitler Jugend had taken part in such crimes, and that the reason for it is that the Hitler Jugend prepared them for such action and trained them to behave accordingly?

A No, I do not admit that.

Q I have two more questions, and that will be all. Up to what time did you hold the post of being in charge of the Hitler Youth?

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A. I was the head of this office since 1931 and I was Reich Governor of the City of Vienna since 1940.

Q. Up to what precise date of moment?

A. I held both of these offices until the collapse.

Q. You were telling here in detail about your quarrel with Hitler in 1943. You stated that from that time on you started being a political leader. Your quarrel or your parting of the ways with Hitler was not really a concrete quarrel, it wasn't a concrete parting of the ways; it was merely theoretical and it didn't have any serious consequences on your career?

A. That is wrong. The consequences which it had for me were set forth by me either Thursday or Friday, and I also mentioned at that time that up until the very last moment I kept my oath which I had given to Hitler as an official and as an officer, the oath on becoming the youth leader.

GENERAL ALEXANDROV: I have no more questions, Mr. President.

DR. SAUTER: Mr. President, in order to get along with the proceedings, I should like to put two brief questions to Defendant von Schirach.

BY DR. SAUTER:

Q. The first question, Witness, in the course of the cross examination you were asked whether you had given an order to keep Vienna until the very last moment and defend the city up to the last man. As far as I remember, you answered that question in the negative, no. I am interested in knowing now what orders did you give so your subordinates during the last days of Vienna, decrees and orders which went to the deputy Gauleiter Scharizer and Blaschke. What were some of the orders they received from you?

A. The order regarding the defense of Vienna originated from Hitler. The defense of Vienna was a matter for the military; that is the Commandant of the City of Vienna was concerned here with the head of the army group who was commanding the SS Panzer Division, Sepp-Dietrich, and the leader of the Army group south.

Q. Did they give orders?

A. In carrying out the decree which Hitler had given them regarding the defense of Vienna, they defended Vienna.

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Q. What orders did you, Witness, give your subordinates in this connection?

A. For the defense of Vienna I gave only such orders as related to the Volkssturm; that is dealing with the food supply to the city and similar matters with which I was charged. I personally had no concern in the defense of the City, and the works of destruction which were necessary in the course of the military defense of the City, these works of destruction are to be traced back to orders which originated with the Fuehrer's headquarters and had been transmitted to the leader of the Army group and to the City Commandant.

Q. My second question, Witness, in your cross examination you were questioned about Document 3763-PS. This is a document which concerns itself with the songs of youth and out of which songs the prosecution seems to derive a different attitude from that explained by you. Do you wish to supplement your testimony on this point?

A. Yes, I should like to add a few things.

Q. Please go ahead.

A. The prosecution accuses me with a certain song, a song which begins "We are the black swarms of Geyer, hey, ho! and want to fight tyrants, hey, ho. Spear in front at them, put the red cock on to the cloister roof", and in one of the verses: "We will lament ot Him on high, Kyrieleis, that we want to kill the priest, Kyrieleis", and this song is a Christian song.

Q. How so?

A. This can be seen in the fourth paragraph. This song is of Protestant origin under Florian Geier and the fourth paragraph reads: "Now castle, abbot and monastry are of importance, hey, ho! Nothing but the Holy Scriptures are of importance to us, hey, ho! Protestantism as well was a revolutionary creed and the peasants who revolted sang this song, and it made me an example in point to quote this song from the 16th Century just like some of the songs originated in the French revolution. This song may be used as an example to show how revolutions are radical rather than tolerant.

DR. SAUTER: Mr. President, with this point I should like to conclude my direct examination of the Defendant von Schirach. Thank you very much. I

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have no further questions.

BY THE PRESIDENT:

Q. Who were your principal assistants in your office at Vienna?

A. First of all, the chief of my central office, Hoepken; secondly, the Regierungs President, Dr. Dellbruegge; thirdly, the Mayor, Blaschke; and fourthly, the Deputy Gauleiter Scharizer. Thses were the vitally essential collaborators.

Q. That makes four, does it?

A. Yes.

Q. And did they occupy the whole of their time working for you in your office?

A. Not all of them. The Deputy Gauleiter had already been in this function under my official predecessor, Buercker. The Mayor, Mr. Blaschke, as far as I recall, became Mayor in 1943. His predecessor was a Mr. Jung, his predecessor as Mayor. The Regierungs President Dr. Dellbruegge assumed his office in 1940; that is, after my arrival in Vienna. He was sent to me from the Reich.

Q. Well then, at the time that you took over the office in Vienna these four men were working for you, is that right?

A. Yes. I should like to mention also that the head of the central office, Hoepken, was first of all active under me as adjutant and assumed his position as Chief only when the former chief of this office, Obergebietsfuehrer Mueller, lost his life in an air attack.

Q. Which of the four was it who initialed those weekly reports which were received in your office?

A. That was the Regierungs President, Dr. Dellbruegge.

Q. And at the time that he received them he was working in your office as one of your principal assistants?

A. He was; the department in the State Administration.

Q. That was your office?

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A. That was one of my offices or departments.

Q. One department in your office?

A. Yes. May I add, by way of explanation, there were various pillars, so to speak: The State Administration, the Municipal Administration, The Party and the Reich Defense Commissariat. The Reich Defense Commissariat and the State Administration were connected so far as personnel were concerned, as far as their representation was concerned. Everything was brought together and centralized in the central office.

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Q Well, in which department was this principal assistant who initialed these documents? Which department was he head of?

A He was active in the civil administration, Chief of the State Administratic

Q Civil administration?

A Yes, Civilian State Administration.

Q was he the Deputy Reich Defense Commissioner?

A Yes, indeed.

Q And you were the Reich Defense Commissioner for the military district number 17, were you not?

A Yes.

Q And he was your deputy in that military district?

A Yes.

Q He received and initialed those reports in that office, did he not?

A Yes.

THE PRESIDENT: The defendant may return to the dock.

DR. SAUTER: Mr. President, with your permission I should like to call to the witness box the witness Lauterbacher.

HARTMANN LAUTERBACHER, a witness, took the stand and testified as follows:

BY THE PRESIDENT:

Q Will you state your full name?

A Hartmann Lauterbacher.

Q Is that your full name?

A Lauterbacher, Richard.

Q Will you repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

THE PRESIDENT: You may sit down.

DIRECT EXAMINATION

BY DR. SAUTER:

H0141-0059

Q Mr. Lauterbacher.

A Yes?

Q I have already discussed this matter with you in the prison; is that right?

A Yes.

Q And I should like to have you pause after each question before you answer so that the interpreters may keep up.

A Very well, yes.

Q When were you born?

A On the 24th of May, 1909.

Q 1909?

A Yes, 1909.

Q Are you married?

A Yes.

Q You have three children?

A Yes.

Q What is your profession?

A Druggist.

Q You are in an American prison?

A I didn't quite understand. Oh--English.

Q Since when?

A Since the 29th of May, 1945.

Q Have you been interrogated by the prosecution on this matter?

A No.

Q When did you become a paid employee of the Hitler Youth?

A I became a paid employee in the Hitler Youth with my being made Gebietsfuehrer of the lower Rhine.

Q And when was that?

A In April of 1932.

H0141-0060

Q April 1932? That was at the age of 23?

A Yes, at the age of 23.

Q Before then had you been a member of the HJ?

A Yes.

Q Slowly, please, and wait with your answers, just a little bit, after the question has been completed.

A Yes, very well.

Q I was asking you, prior to that time had you been a member of the HJ before you assumed your position with pay in the year 1932?

A Yes. When I was 13 years old, in the year 1922, I entered the then National Socialist Youth Organization. When I was 18 years old, in the year 1937, in my home province of Tyrol, I accepted the task of an Unterfuehrer.

Q And when did you assume your paid position?

A Then, in Braunschweig--this was still on an honorary basis--from 1929 until 1932, I worked in this honorary capacity. And, in connection with that, I worked for pay as well.

Q Since 1932?

A Yes.

Q Just what was your position in the year 1932? What position did you assume then?

A In the year 1932 I was entrusted with the leadership of the then area Westphalia, Lower Rhine.

Q Then at what time were you together with the defendant von Schirach?

A On the 22nd of May 1934.

Q And what was your position then?

A Staff Leader--Stabsfuehrer.

Q For what length of time did you remain a staff leader?

A Until August of 1940.

Q Until the time he left his office as Reich Youth Leader?

A Yes.

Q Before you entered your paid position with the HJ, had you

H0141-0061

served with the Army?

A No.

Q Slowly please, witness.

Then you had not been an officer?

A No.

Q You have just told us, I believe, that since 1934 you had been a staff leader of the Reich Youth Leadership, Reichsjugendfuehrung. What tasks did the staff leader of the Reich Youth Leadership have? Please tell us briefly, so we may have a rough idea, at least, of what your jurisdiction was.

A As the title of staff leader indicates, I was, first of all, the leader of the staff of the Reich Youth Leadership. As such, I had the task, so far as the general directives of the Reich Youth Leader were concerned, to work with the orders and decrees given out by the Reich Youth Leader in so far as he could not do that himself. I was in charge of the various departments of the Reich Youth Leadership, and I had to coordinate these departments. Specifically, I dealt with organizational and personnel questions.

Furthermore, I had this position given to me by von Schirach in the years 1935 to 1939. I carried through a number of journeys abroad at von Schirach's request.

Q Who was the deputy of the Reich Youth Leader when he could not act personally?

A I was his deputy on all occasions.

Q Then apparently next to Schirach you were the first man in the Youth Leadership?

A Yes.

Q The number one man

A Yes.

Q Were your relations with von Schirach only official, or were you friends outside of the office?

A Our association was not limited only to official matters. Above and beyond that, we were personal friends. Our personal relationship,

H0141-0062

because of Schirach's Vienna task, was not interrupted during his sojourn in Vienna.

Q Do you believe, Mr. Lauterbacher--disregarding this personal relationship that you had with von Schirach--that he concealed certain things from you; or, are you of the conviction that so far as official matters were concerned he had no secrets from you?

A I always have been, and I am today, convinced of the fact that von Schirach made all his intentions and thoughts known to me. He had no secrets from me.

Q He kept nothing from you?

A No, he kept nothing from me.

H0141-0063

A Through Schirach during the first few years we had conversations or discussions with Hitler. Always I was informed by him right after the discussions had taken place.

Q Witness, in the year 1939, the second world war broke out. Did the defendant, von Schirach, in the last few years prior to the outbreak of the world war carry on any conversations with you to the effect that the youth should be prepared for war and should be trained and educated that way. That, in other words, in the education of youth, one would have to consider the necessity and requirements of a coming war? What transpired on this point between you and von Schirach? What transpired between you before the war, that is?

A About the possibility of a war there was never any discussion about that. On occasions in the company of von Schirach I attended meetings or rallies of the party, and on those occasions when Adolf Hitler delivered a speech, I only --

THE PRESIDENT: Please ask the witness not to go quite so slowly.

DR. SAUTER: Witness, please speak slowly but not too slow. Please speak slow enough that the interpreter can follow you. We are losing too much time. We have already lost a good deal of time. Please continue.

A On the occasion of these rallies I had the firm and unalterable impression that Adolf Hitler and the National Socialist Reich believed in peace and a peaceful development and they wanted to maintain that. Therefore, the thought never occurred to me that youth should be trained especially for war.

Q Witness, in your capacity as Staff Leader of the Reich Leadership, Reichs Jugend Fuehrer, did you have any knowledge about the entire mail that either came into Schirach's or left Schirach's office? Yes or no, please.

A The official mail -- I saw all of that.

Q Did you in the mail which reached Schirach in his office, did you see anything about directives for the Reich Youth Leadership received from the party leadership or from Hitler or from the OKW or from other agencies, either state or party, regarding the preparations for war?

A No, neither open nor camouflaged.

H0141-0064

Q Witness, in the last few days we have heard about the main tasks of youth education and training, and I do not believe, Mr. President, I need to ponder this in detail. The witness could give us information about the tasks of youth education, but I might consider that as clarified, is that correct?

THE PRESIDENT: I think so. I think the facts about it have been sufficiently stated.

BY DR. SAUTER:

Q Did you mean, there are different chapters -- you said that you had not been a soldier. Wasn't it important to Schirach that among his collaborators there should be a certain number of officers, at least men who had served their military term who might be used as educators, this education of youth? Please be brief.

A No, first of all, that is in the first of the war, it developed that Schirach rejected officers for theoretic and other reasons. The objective and the tasks of H.J. was the tasks of a socialist community and of a socialist state, and with that, the type of the old, of the then current officer, he was the representative of a reactionary type and we could not bring about a union of the two. This type could not coincide with the principles for education which Schirach had laid down.

Q Witness, do you know anything about this? That Schirach was always very disinclined or do you know he was inclined to agree when military agencies tried to exert influence on the way the Youth leadership was carried on? On this point you can also br brief, I believe.

A Already in the year 1933 there were attempts to bring officers into the Hitler Youth as leaders of the Hitler Youth, which began before my period of activity of the Reich Youth Leadership. So far as I am informed two officers were brought in on the more or less direct order of Hitler. These attempts, however, met with no success and their activity was a hundred percent failure.

Q What happened to them?

A Schirach went to Adolf Hitler and there demanded the dismissal of these two gentlemen, and he effected this. He brought it about. A

H0141 - 0065

directive was given out by Hitler which said that from now on officers were not to be active in the Hitler Youth.

Q Then were there no more attempts like this afterwards, that is, to force officers upon the Hitler Youth, so to speak?

A Yes, in the years 1936 and 1937, and then again in 1938, attempts were made, especially as far as officers were concerned to influence the training and education in the Hitler Youth, but these attempts also failed, and up until the very end those Hitler Youth Leaders who had been in the military and who had been officers, they were not taken in, and up until the very end in the Hitler Youth officers who would have been responsible to another department, rather than von Schirach's department, they were not active in the Hitler Youth.

Q If I understood you correctly, Witness, you wish to say, and please confirm me in this, whether I am

H0141 - 0066

understanding you correctly, that as far as these attempts were concerned, Schirach turned them down, is that correct?

A Yes.

Q Witness, why did the Hitler Youth wear uniforms and also a uniform for the girls?

A A uniform is perhaps not the correct expression, or a correct term for the clothing worn by the members of the Hitler Youth. It was rather a costume, tracht, which they had worn even before the existence of Hitler Youth, which they were not only in Germany but in other countries and organizations in all countries, they were these costumes. At any rate Schirach was interested that all boys and girls and he said they should wear the clothing and dress of the socialist community.

Q And socialist community, what does that mean?

A It means a community of all boys and girls of all social strata without any difference as to the background or creed or anything else.

Q Did the H.J. have military weapons in its possession and where the Hitler Youth trained in military weapons?

A No. Von Schirach did not have such activity in the Hitler Youth and it was not trained in military weapons.

Q Did the Hitler youth have tanks, armored cars and so forth, and in connection with the question of the special units, the training of the youth in the so-called motorized Hitler Youth, we have had reference made to this. Tell us about the tanks or anything like that.

A No, the Hitler Youth to my knowledge never did, and the Hitler Youth has not ever had any activities for any training in armored cars, tanks or anything else like that.

THE PRESIDENT: The facts stated by the defendant as to the weapons of the Hitler Youth and their formations were not cross-examined. You needn't go into that. Mr. Dodd didn't suggest that they had got training with tanks.

DR. SAUTER: Thank you, Mr. President. Then I can pass on to another point.

H0141-0067

Q Now, I should like to turn, Mr. Lauterbacher, to the attitude of the Defendant von Schirach on the Jewish question. Was the HJ -- the Hitler Jugend --active in the Jewish programs of November 1938?

A I believe that I can answer your question with a very clear "No".

Q Mr. Lauterbacher, you said something to me about a speech which was given a few days after the 9th of November 1938, the speech delivered by the Defendant von Schirach regarding Jewish programs. Tell me when and before whom he delivered this speech and what he said in this speech.

A Von Schirach on the 10th of November 1938, was in Munich. I was in Berlin at the time. von Schirach instructed my by telephone to tell the Youth Leadership that their organizations were to be kept at all costs out of tha anti-Jewish demonstrations, and as far as specific explanation on this point was concerned, to call a meeting of all of these leaders for a certain day. This meeting took place around the 15th of November 1948. That was the approximate date; it was in Berlin.

Schirach demanded of these Gebietsfuehrers -- youth leaders-- a report, and he expressed the fact that he had had some reports of his own in the meantime and stated that Hitler Youth had not participated in these excesses. Then in his speech he mentioned these excesses. I remember this speech, for it was particularly impressive. He called these programs a cultural defilement and an attack on our dignity. He said that such things could take place among an uncivilized people but it should not happen in the case of the German people. And he further stated that through these demonstrations we had antagonized the world and all decent people in Germany itself. He was very much afraid -- he was seriously afraid -- that domestic political difficulties would result, as well as difficulties within the Party. As we know, the Party was not at all unified on the subject of these happenings. A large section of the Party membership and of the Party leadership was very much against -- and disapproved of-- these excesses.

Q Please continue telling us what Schirach set forth at that time. I am really interested in that.

A Von Schirach then told the Youth Leadership especially that in the future at all costs and in any circumstances they must stay away and apart from

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demonstrations of this sort, to have nothing to do with them, and especially for pedagogical reasons he disapproved of all force and violence. Then at the conclusion of the speech he mentioned Der Sturmer as a newspaper which might have been used but he prohibited the reading of this paper among his youth.

Q On this occasion, Mr. Lauterbacher, did he say anything to the effect that so much cultural values, art treasures, property and so forth had been destroyed in vain? And didn't he in this connection cite certain examples?

A Yes. In this connection he cited as an especially drastic example the case of the attempted or partly successful plundering of the Jewish firm, Bernheimer, in Munich.

Q Munich?

A Yes. And in citing this example he told the Youth Leadership how dangerous this interference had been with special reference to art treasures and so forth.

Q Isn't it true the Defendant von Schirach in connection with this Berlin speech about which you have just told us through your intervention via Berlin had the various offices called on the phone and directives went out?

A Yes; this took place on the 10th of November, that is the day after the Munich Rally. That took place on the 10th of November, but it was independent of the meeting of the Gebietsfuehrers, which took place on the 15th.

Q Mr. Lauterbacher, I assume that in the course of the years on the occasion of certain speeches which the Defendant von Schirach made to his subordinate leaders, or speeches he made to the Hitler Youth, you attended these meetings, or at least some of them, and that you listened to these speeches some of them personally. On other occasions like that did the Defendant von Schirach engage in Jewish-baiting? Did he suggest violence be used against the Jews? What was that?

A Yes, it seems that I attended all important speeches made by von Schirach before the Leadership of the HJ and listened to him. And on the occasion of these speeches I never heard the suggestion that force or violence be used, which by its very nature would be uncalled for. At any rate, I cannot recall that von Schirach ever demanded that the Youth Leadership either subscribe to or participate in acts of violence of any kind toward anyone.

H0141 - 0069

Q What was the topic of Schirach's speeches mostly that is, when he delivered one of his many speeches addressed to the youth? Please be brief; give me the main topic.

A Without doubt we have to differentiate between the large public informative speeches and the speeches which he made before the Leadership of the Hitler Youth.

In the speeches before the Leadership he always concerned himself with the large political and ideological tasks, with the socio-political cultural-political and professional training problems which he had put to the Hitler Youth -- those were the topics he dealt with.

Q Now, we shall turn to a different topic, Mr Lauterbacher. Did Schirach cause you to leave the Church? Was he responsible for that?

A No.

Q Did you leave the Church?

A I do not believe that Mr. von Schirach even knew what religious affiliation I had or whether I left the Church which happened in 1937 or 1938 and without being influenced or forced to it by anyone whatsoever.

Q Did von Schirach try to influence other collaborators or associates to leave the Church, that is, as far as you know?

A No.

Q Did Schirach on the occasion of his numerous speeches which you have just told us you attended, listened to

H0141-0070

them, did he speak against Christianity? Did he try to incite against Christianity?

A Schirach always told the youth to respect the religious convictions of people and on thos occasions not only once but frequently characterized atheism, or being without God, as undesirable. In his speech von Schirach even before 1933 and thereafter--just to give the example of the sports society -- had some discussion in some of his speeches about this. He demanded the unity of youth, but on these occasions neither openly nor in any otherway did he attack Christianity or the religious convictions of other people.

Q Mr. Lauterbacher, during the time the Defendant von Schirach was Reich Youth Leader, were there negotiations regarding the conclusion of a Concordat with the Roman Catholic Church, so that relations between the State and the Church would be put on the basis of a contract? Do you know anything about this, that von Schirach participated in these Concordat negotiations and whether he pursued a policy of bringing about an understanding with the Church and to bring about this understanding in such a way as to satisfy both sides?

A Yes. In the years 1933 and 1934 there were many conversations which Schirach had with the representatives of the Church.

Q Who were they?

A The then Reich Bishop of the Protestant Church, Mueller, and the representative from the Fulda Conference of Bishops, Berning of Osnabrueck. He had conversations with these gentlemen. And I recall that Schirach was interested in bringing about a limitation of the powers and jurisdiction of both sides, perhaps on a basis of giving to God what is God's and to giving to the State what belongs to the State.

Q Now, I have another question, Witness: Do you know whether von Schirach actually tried to bring about an understanding with the Hitler Yout and the Youth of other countries, whether he wanted to bring about this understanding? And can you cite examples of his activities in this direction? Tell us what he actually did.

A The amiable understanding between German youth and the youth of the rest of the world was without doubt one of those tasks which Schirach again and again was interested in having the Youth Leaders pursue. I always

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had the impression that this task was I might almost say his most personal passion. I myself at his order -- and perhaps I might be a cardinal witness to this fact -- from 1935 onwards, twice or perhaps three times, I visited the various European countries so that I could get in touch with the existing youth organizations and also the organizations of combat soldiers of the First World War, to bring about contact with them.

Q Which States, for instance, did you visit?

A The Hitler Yout, one might say, had contacts with all -- or tried to maintain contact with all European States, and I myself at the frequent order of von Schirach visited England several times. There I met the leader of the British Boy Scouts.

THE PRESIDENT: I don't think these facts are in dispute. It is merely the inference that is to be drawn from the facts that the Prosecution will rely upon. Therefore it is not necessary for you to go into the facts again, as to the connection of the Hitler Youth with the foreign youth.

DR. SAUTER: Thank you, Mr. President.

Q Witness, you have just heard that these facts are not in dispute. So we can turn to another topic: You were the Staff Leader of the Reich Youth Leadership. Do you know whether the Leadership of the Hitler Jugend had spies abroad or agents abroad, or whether they trained people for Fifth Column activities in other countries -- and you know what a Fifth Column is, I take it: that is the training of people in Germany so that they could act as parachutists back in their own countries. During your entire activities as Staff Leader did you have any knowledge of anything like that at all?

A The Hitler Youth neither had spies nor agents nor parachutists, and Hitler Youth did not train any people like that in any country of Europe. Such a fact would have to be known to me under all circumstances and I knew nothing about it.

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Q Even if Schirach had acted behind your back and had instigated anything like that, do you believe that through the channel of the reports from the Gebietsfuehrers, you would have had knowledge of it?

A Yes, on the occasion of my many official visits, I would have had word of this in the localities.

Q Then, witness, I should like to turn to another topic. The other day you told me about a conversation which took place at the end of September or the beginning of October--that is after the Polish campaign and before the actual French war--a conversation which you had with the defendant von Schirach in your living quarters at Berlin, Dahlem, on which occasion the defendant von Schirach commented on his attitude toward the war. Will you describe this conversation to us briefly?

A Yes. Von Schirach visited me toward the end of September or the early part of October 1939. He visited me in my living quarters in Berlin, which I occupied at the time. Very quickly the conversation turned to war, and Schirach said that, in his opinion, this war should have been prevented. He held the then Foreign Minister responsible for having advised Hitler inadequately or incorrectly. He regretted the fact that Hitler and the leading men of the state and of the Party did not know Europe, did not know the world, and, without fully knowing the consequences, they had steered Germany into this war.

At that time he was of the opinion that, if this war were not ended within the briefest possible time, we would lose the war. In this connection he referred to the extraordinary war potential of the United States and England. He said--and I can remember this word very well--that this war was an unholy one and that if the German people were not to be plunged into misery, the Fuehrer would have to be advised and informed of the danger which would arise for Germany if America, either through deliveries of goods or through war itself, were to intervene.

At that time we pondered just who could inform Hitler, who could have access to Hitler. Schirach at that time suggested try-

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ing in some way to bring Colin Ross to Adolf Hitler. Colin Ross was to call Hitler's attention to the imminent danger, and, without the presence of the Foreign Minister and without the Foreign Minister knowing anything about it, Hitler was to be informed by Colin Ross.

Colin Ross was not in Germany at that time. I recall that when he returned he was, through Schirach, brought in contact wit Hitler.

Q Witness, perhaps we shall remain on this point of the discussion which took place at the end of September or the beginning of October 1939, the conversation which you just mentioned t us. I should like to have you answer the question, How was it th Dr. Colin Ross was chosen; how did you arrive at this conclusion

H0141-0074

having him go to Hitler?

A. I have already mentioned that the leadership of the National Socialist State and of the Party did not know the world and foreign countries at all, and consequently, this man who had travelled much and who had seen the world, would be the suitable one. In the years before 1939 Colin Ross had attended meetings of the Hitler Youth leadership and had addressed them.

Q. What about?

A. He was known to Schirach and the Hitler Youth.

Q. What were the topics he discussed before the Hitler Youth?

A. He discussed his travels abroad.

Q. On this occasion did you also discuss the matter of whether there should be a discussion of the Jewish problem, so that there would be a better understanding with other countries, and if so, just what was to be the basis for this solution?

A Schirach in this discussion referred to the excesses of 9 November 1938, and he referred to his subsequent speech, and he said that in these circumstances, it would be extraordinarily difficult to start discussions with America, first of all, and that one should try, beforehand, and he wanted to suggest this to Hitler.

THE PRESIDENT: Dr. Sauter, the Tribunal does not think it is really sufficiently important to go into Schirach's private discussions with this witness. If he can say anything as to what Schirach did, it may be different, but now the witness is simply reciting the discussions which he had with Schirach, nothing more than private discussions.

BY DR. SAUTER:

Q. Witness, on the basis of these discussions, discussions between you and the defendant von Schirach, did Schirach actually act to keep the peace or did he do anything to shorten the war? If he did do anything, just what did he do?

A. Yes, as he told me later on, Schirach tried to make use of every opportunity at the beginning of the war to tell Hitler about the need of having discussions with America, and he tried to convince Hitler of this. Colin Ross

H0141-0075

later told me about this. Schirach brought Colin Ross face to face with Hitler, in pursuance of this conviction. Colin Ross was with Hitler for several hours. Colin Ross, when he visited me at Hanover, told me about this discussion, and he said that Hitler had become very contemplative. He also said that a second discussion which had been planned with Hitler did not materialize, for, according to the picture he gave me, the Foreign Office was opposed to this way of having Hitler receive information and protested.

THE PRESIDENT: We will adjourn now.

(A recess was taken)

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THE PRESIDENT: Dr. Sauter, the Tribunal thinks that this witness is dealing in great detail with matters which are of very little importance and the Tribunal wishes you to bring his attention to something which is of real importance.

DR. SAUTER: Mr. President, I in any case only have got one more question.

BY DR. SAUTER:

Q Mr. Witness, one last question. In 1940, you separated from Schirach and I think you became a Gauleiter.

A Yes, and Schirach went to Vienna.

Q But then in 1943, you had one more long talk with him, particularly about the question why Schirach wasn't resigning. The reason I am putting this question to you is because one member of the prosecution has discussed the question once before already this morning. Will you tell us briefly what Schirach said at the time as the reason why he remained in his office or why he didn't resign and all that and how he judged the war -- in 1943, I think it was?

A In March 1943, on the occasion of a visit to Berlin, there was a very long conversation between von Schirach and myself. At that time, von Schirach was talking about the prospect of the war in a very sentimental way and he was telling me that shortly we should be fighting outside Vienna along the Rhine and in the Alps. He said on that occasion, that for sometime already he hadn't been able to get to see Adolf Hitler and that he had had no opportunity any longer, as it used to be the custom to inform him, and that the Chief of the Party Chancellory, Bormann, had prevented his getting to see the Fuehrer and having a chat with him alone. The attitude was being consequently pursued and that he had no longer any opportunities to discuss any special or general questions with Hitler. He also mentioned in that connection that Bormann was coming to him with objections and complaints every day regarding cancellation of orders he had given in his capacity of Gauleiter in Vienna, for instance, and that principally speaking, it was no longer possible

H0141-0077

to remain in office and to continue to bear responsibility. Later on, during that conversation, during which we talked about all sort of other subjects, he said that he had sworn an oath of allegiance to Hitler, after all, and he thought that he would have to remain in office under any circumstances and that, most of all, he thought that he could not be responsible for leaving in the lurch a population of whom he had been appointed Gauleiter. He said that he was prepared and sought to approach him but that a resignation or actio of any kind wouldn't have any influence on the leader of the State and Hitler personally and that, therefore, he would behave like a soldier and remain in his office.

DR. SAUTER: Mr. President, that already brings me to the end of the examination of this witness.

THE PRESIDENT: Do any other defense counsel want to ask him any questions?

DR. SERVATIUS: Defense counsel Servatius for Sauckel.

BY DR. SERVATIUS:

Q Witness, from 1940, you were Gauleiter in Hanover?

A Yes, from December 1940.

Q In that capacity, you were Plenipotentiary for Labor. Were there many foreign laborers in your Gau?

A Yes, there were very many foreign laborers in my distric This was mainly caused through the presence of the Reichswork Herma Goering, that was situated near Braunschweig.

Q Did you have to look after them?

A Yes, my tasks as the Plenipotentiary Deputy for Labor were in fact committed to looking after foreign laborers and worker

Q Did Sauckel give instructions about that?

A I, like all other Gauleiters, did currently have instructions from Sauckel regarding labor; that is to say, their welfare and looking after these civilian workers.

Q What was the type of these instructions?

A The instructions which I as Gauleiter received, dealt almost entirely with the repeated demands to do everything for the

H0141-0078

foreign workers as far as accommodations, eating, clothing, and their cultural welfare was concerned, and they should be well looke after.

Q Was that carried out in practice?

A Naturally, that was carried out within the limitations of the possibilities which existed.

Q Did you inspect work camps where these laborers worked?

A Yes. I, myself, on the occasion of official journeys visited such camps but most of all the actual works themselves. Apart from that, I had my deputy who was engaged in labor front work, and I had a man who would particularly support this part of my task.

Q Did you or did your deputy there notice catastrophic con ditions?

A Well, after air attacks and after 1943, Hannover and Braunschweig were particularly badly hit. I saw conditions in the foreign civilian labor camps and also in the living quarters of German people--well, I wouldn't call them catastrophic but certainl the worst conditions; subsequently, and as far as possibility exist ed, I tried, for instance, to repair these destroyed accommodations or have new living quarters erected.

Q Did you see deficiencies which occurred through the faul of these industrial enterprises?

A I do remember two such cases. In Hannover, several firms had formed, shall we say, a ring of collaboration and they had erec ed a camp for their foreign civilian workers. Responsibility for that camp was in the hands of the trustees from these firms. One day, it was reported to me that living conditions did not comply with the instructions which existed and he asked my permission to interfere; that is to say, that from the German laborers front, he should be allowed to assume responsibility for that particular workers camp. I did give him the corresponding instructions and sometimes afterwards, he reported to me that these difficulties had been removed. Another example, the Reichsworks Herman Goering---Since I am speaking under oath here, I must mention that that firm, and in

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several respects, disregarded Sauckel's instructions. For once, they were outside the jurisdiction of labor administration and then the jurisdiction over branch business in the Ukraine--and by that means, laborers were recruited. These laborers arrived outside the contingents supplied by the Plenipotentiary for Labor in Germany and, therefore, they did not come under his responsibility when they arrived on the site of the Reichswork--only after overcoming considerable difficulties, did I succeed in entering the works and the camp. It wasn't by any means of the case that I as Gauleiter and Plenipotentiary could without ----

THE PRESIDENT: What has that to do with the defendant Sauckel?

DR. SERVATIUS: I had asked him regarding deficiencies which he might have seen when he was Plenipotentiary for the use of foreign workers, controlled, which he had to do, whether such deficiencies existed. Those he had to report, so that finally they would go to Sauckel. He has gone rather far afield in his story and he is now speaking about the Hermann Goering Works.

THE PRESIDENT: You should stop him, Dr. Servatius. You know the question you were asking.

H0141-0080

BY DR. SERVATIUS:

Q. Did you see deficiencies in the camp?

A. I could not go into the camp, because I was not allowed to.

Q. Did Sauckel personally speak to the workers in the Gau?

A. No, not while I was active there. But he repeatedly sent his official down.

DR. SERVATIUS: I have now got some questions to put on behalf of the political leader corps, Mr. President.

BY DR. SERVATIUS:

Q. When you were appointed Gauleiter, did you receive special instructions from the Fuehrer?

A. No, On the occasion when I was appointed Gauleiter, I was merely appointed Gauleiter, or introduced as Gauleiter, during a meeting of Gauleiters by Mr. Hess. But on the occasion of that meeting, I received no special instructions.

THE PRESIDENT: Mr. Witness, the answer was "no"; and you did not need to add to it at all.

BY DR. SERVATIUS:

Q. Did you later talk to the Fuehrer and receive any special orders or instructions?

A. It was only on the occasion of Gauleiter meetings that I went to the Fuehrer, and I never had any official discussions with him.

Q. Do you know anything about the activities of Block Leaders? In particular, I want to ask you, were they used for services as spies?

A. No.

Q. But there seems to be widespread opinion that in fact Block Leaders did act as spies and informers. The prosecution has mentioned that. Did the SD perhaps use Block Leaders for that purpose?

A. The SD had other leaders for that. They had veteran men who were not known among the parties. At any rate, Block Leaders had no instructions to carry out such activities.

Q. Was there not a card index system of party opponents not in the party organization?

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A. As far as I know, and as I heard on the occasion of the 20th of July 1944, that card index system was kept by the Secret State Police.

Q. Did they use confidence men who may not have been Block Leaders but who worked for you as Gauleiter?

A. No.

DR. SERVATIUS: I have no further questions.

CROSS EXAMINATION

BY MR. DODD:

Q. When did you join the SS, Mr. Witness?

A. On the occasion of being nominated Deputy Gauleiter, on the 2nd of August, 1940, I became SS brigade leader.

Q. I am sorry; I cannot get the answer.

A. On the occasion of my nomination as Deputy Gauleiter on the 2nd of August, 1940, I became SS brigade leader.

Q. I did not hear your answer as to when you first joined the SS. Would you repeat it, please?

A. On the 2nd of August, 1940.

Q. You had not belonged before that date to the organization at all?

A. Before that date I was not a member of the SS. But from the 22nd of May, 1940, to September, 1940, I served in the Waffen SS, as a soldier.

Q. And then you later became an SS Obergruppenfuehrer, did you?

A. On the 20th of April, 1944.

Q. And when did you join the staff of Himmler?

A. I have never been a member of Himmler's staff.

Q. Did you not join it in January of 1944, or what would you say that you did join in the Reichsfuehrer SS Organization? Perhaps I have used the wrong term, "staff". There is some other name for it. Were you not affiliated in some way with Himmler.

A. No, I never had any SS task.

Q. Did you have any connection with the Reichsfuehrer SS from January of 1944 on?

A. In October, 1944, the Reichsfuehrer SS was on special training at the

H0141-0082

frontier near Bad Pyrmont, on the occasion of a meeting of Western German Gauleiters and high SS gauleiters. On that occasion, I had been ordered to appear, and during official business, I had a talk with him.

Q. That is not what I asked; but I will pass it. Did you become an SA Obergruppenfuehrer in 1944, as well as an SS Obergruppenfuehrer?

A. I became an SA Obergruppenfuehrer, I thin, in 1944 or 1943.

Q. You were also a member of the Reichstag in 1936, were you not?

A. Yes.

Q. And a member of the Party, I guess you said, since 1927; is that right?

A. 1927, yes.

Q. And a member of the Hitler Youth, or NSDAP, since 1923?

A. I became a member of the Hitler Youth in 1927. It was not formed before that.

Q. Whenever it was, the Youth Organization of the Party; that is what I mean. How many people did you have hanged publicly while you were the Gauleiter up in Hannover?

A. I did not understand the question.

Q. I said, How many people did you have hanged publicly while you were the Gauleiter up in Hannover?

A. I hanged nobody publicly.

Q. Are you sure about that?

A. Yes.

Q. How many people did you send to concentration camps?

A. Perhaps 5 or 10 persons, because they violated war economy regulations, were put before ordinary courts by me. And in one case which I remember particularly well, there were two people who refused --

Q. (Interposing) Well, I do not care about the details. Just tell me how many you sent.

A. There were two who sent to concentration camps. Whether they were sent to concentration camps, that I do not know, because I myself could not have them admitted there.

Q. Do you know a man by the name of Huck, H-U-C-K, Heinrich Huck?

H0141-0083

A. No. No, I do not seem to know the name.

Q. The Police Commissar under your Gau, or in your Gau?

A. No, I do not know him.

Q. I want to ask, did you not have a foreign worker from one of the eastern countries hanged publicly in the market square, and to remain there a whole day, at one time while you were the Gauleiter up there?

A. No. Where was that supposed to have happened?

Q. It is supposed to have happened in Hildesheim.

A. No.

Q. In March of 1945, just before the war ended.

A. No. That is unknown to me. I have never given any such instructions.

Q. Did you order 400 or 500 prisoners poisoned or shot just before the city was taken by an Allied army?

A. No. That case was put before me in London, and I think I clarified it.

Q. You know what I am talking about, then?

A. Yes, the penitentiary at Hammeln.

Q. You know that your Kreisleiter says that you ordered them poisoned with either prussic acid or strychnine, or else they were to be shot?

You know about that, do you not?

A. I was told about that in London.

Q. And not only does your Kreisleiter say that, but Richard Rother, who was an inspector at the prison at Hammeln, confirms that the order was passed on that they were to be poisoned or shot; do you know about that as well?

A. I have never given any such order.

Q. I am asking you if you know that these people associated with you have sworn under oath that you did. You have seen these affidavits, have you not?

A. I have been informed of it in London; but I was also told that inmates of that penitentiary were neither poisoned nor shot, but transported back.

Q. Yes, they were, but not because of you, but because your people refused to carry out your orders; is that so?

A. I have no knowledge of that, because I was no longer with Hammeln and no longer in my Gau.

H0141 - 0084

Q. You have seen these affidavits; so I do not think there is any need to hand them to you. But I am going to offer them in evidence.

A. The statement Kreisleiter D[illegible] Kraemer was put before me in London, and I replied to it.

Q. Very well. You know what he says, then?

MR. DODD: I offer this D 861 as U.S.A. Exhibit 874, Mr. President. It is a document consisting of seven affidavits from persons associated with this witness when he was the Gauleiter, and having to do with his conduct while he was Gauleiter there.

THE PRESIDENT: How do you suggest that that evidence is relevant?

MR. DODD: I offer them in relation to this man's credibility, or rather lack of it. I do not think that they have anything to do directly with the case, other than they show the kind of individual he is, as we claim, and that the Tribunal should have this information before it when it considers the weight it will give to his testimony.

I have also just been reminded by my friend Mr. Elwyn Jones that, of cours it would have a bearing on the issue of the leadership cause of the Nazi Party, of which he is a member. That had not occurred to me, however. However, I do wish to claim it as a ground, also, for this document.

H0141-0085

THE PRESIDENT: Where are the people who made these affidavits?

MR DOD: Mr. President, I will have to enquire. I don't know.

They are in custody, some of them at least, in the British zone here in Germany.

DR. SAUTER: Mr President, you have just enquired where these people are from whom these affidavits originated. Perhaps I can assist you in clarifying these questions. This Dr. Kraemer, whom the prosecution have just quoted as the leading witness against this witness Lauterbacher, was, some eight or ten days ago, sent to seven years imprisonment by an English Court and this for the same reason which the prosecutor has just mentioned. Mr. Lauterbacher doesn't know anything about this matter, but quite accidentally I read it in a German newspaper. I read a report about this trial and I have got that report before me. In that article, dated May the 2nd, it is mentioned that the former Kreisleiter of Hammeln, Josef Kraemer-- that is the same as the one we are concerned with -- was sentenced by the Court of the Fifth British Division to seven years imprisonment, and I quote from that article: "Upon the approach of Allied troops Kraemer had given the order for the 'liquidation' --"and that is quoted --" of the inmates of the penitentiary at Hammeln. 'No dangerous prisoner and no foreigner may fall into the hands of the enemy,' so he says, 'They must all be poisoned with prussic acid or, if that doesn't work they will have to be shot." That was the wording of the order which former Kreisleiter Josef Kraemer had given, who is now being used as a witness against my witness here, Then this report goes on to say: "Former officials at the penitentiary who appeared as witness have stated that in spite of this order from Dr. Kraemer they had refused to remove or 'liquidate' the prisoners." That isn't interesting, but I thought that perhaps it might be of importance for the Tribunal when dealing with this question, when they can see from a document how, in reality, this former Kreisleiter has behaved. The newspaper clipping, if you are interested, Mr. President, althogh it is in German, can be submitted to you at once.

MR. DOD: May I say, Mr. President, that perfectly substantiates the document; that is, Kraemer says in here that is what he did, that he passed orders on but that he got them from this man. If anything, it supports us. It doesn't hurt us one whit in so far as the value of this document is concerned.

In looking them over, I think it is perhaps best if I only offer the first one and the last one. There are some others in this group that are not particularly helpful, I expect, for the Court, I shall withdraw all but the first and last and offer only the affidavit of Kraemer and the affidavit of Huck.

H0141-0086

THE PRESIDENT: Mr. Dodd, the Tribunal does not think that these documents ought to be admitted. In the first place, so far as the credit of the particular witness is concerned, they do not think that his answers on questions of credit ought to be challenged by other evidence. So far as the Leadership Corps is concerned, they think that these documents are only evidence of one individual crime.

MR. DODD: Very well, Mr. President.

BY MR. DODD:

Q Mr. Witness, I understood you to say that you never heard the defendant von Schirach say anything really derogatory of the Jewish people, and, on the contrary you heard him speak out quite openly after the events of November 9, 1938. Did I understand you correctly?

A Yes, he unmistakably talked against the atrocious events.

Q Don't go all through it again; I just wanted to be sure that I understood you correctly.

I suppose you read the Hitler Youth Yearbook for the year 1938, as the Deputy to the Reich Youth Leader.

A At the moment I don't know what was in that book. If I could have a look at it --

Q Of course I don't expect you to. I merely wanted to ascertain that you did read it. I suppose you always read your yearbook.

A No.

Q What, you didn't read it?

A I can't remember that I have, no.

Q Well, wouldn't it be customary for you to read the yearbook? Let's put it that way.

A The yearbook was compiled by the Press Department, and the details of its journalistic conception, or the periodicals which it printed. I could not influence. And in fact, at least so far as any material referred to ant-Semitic atrocities, I did not approve of or read it.

Q Well, I will show it to you in any event and call your attention to an article in the Yearbook concerning the Jewish people. Do you know what I refer to? Where they were charged with having spilled the blood of millions of dead in histor That was put out, I assume, after the brave statements by the defendant in November of 1938, since it is for the whole year of 1938. You will find the article that I refer to on page 129.

H0141-0087

A Yes.

Q Have you seen that article before?

A No. That yearbook had no official character. What was printed was entirel a matter for the editor.

Q What do you mean "it had no official character"? It was the Yearbook of the Hitler Youth, was it not?

A This Yearbook was not officially edited by the Party or the HJ. Incidental I never did see it until afterwards.

Q It was published by the Central Publishing House of the NSDAP, was it not?

A Yes, that is correct, I can see that.

Q It was called "The Yearbook of the Hitler Youth", and you put it out for a good many years consecutively, did you not? I don't mean you personally, but I mean the Party and the Hitler Youth.

A No, This Yearbook was published every year by this gentleman who is menti ned there, and, in fact, other gentlemen as well. They compiled and edited it.

Q I know that. I am simply trying to establish this, that this was the Yearbook of the Hitler Youth and the only one that was put out, and it was put out each year. Now isn't that so?

A This book appeared every year, but I repeat again, it had no official character.

Q Well, what would you say would you give it an official character?

A If it said here, "Published by the Reich Youth Leader's Office", at that moment it would assume

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official character.

Q And the fact that it said "Published by the Central Publishing House of the NSDAP" would not give it one, is that it?

A Not in the least.

Q You didn't put out any other publications in the nature of a yearbook, did you, except this one?

A A calendar came out every year.

Q Well, I am certainly not talking about a calendar; I am talking about a report or a book.

A No.

Q And you are still telling this Tribunal that this was not the Yearbook of the Hitler Youth and the only one that was published in Germany?

A I am stating again that this Yearbook did not have any official character.

Q Well, after having read that quotation, do you still think that Schirach, as leader of the Reich Youth, was not actively speaking about the Jews in a derogatory sort of way, or that talk of this kind was not going on under his leadership?

A Herr von Schirach, as long as he was Reich Youth Leader, never left any doubt regarding his anti-Semitic attitude.

Q Do you know the speech he made in 1942 when he took credit for deporting the Jews from Vienna? Are you familiar with that speech?

A No, I don't know that speech. During that time I was in Hanover, and Schirach was in Vienna.

Q Yes. He was a fellow Gauleiter at that time.

Did you ever get any SS reports about what was happening to the Jews in the East?

A Never. I never received SS reports or circulars or orders.

Q Did you deport any Jews from your Gau?

A When I came to the Gau in December of 1940, the Jews had already emigrated.

Q They were already out by the time you got there?

A Yes.

H0141-0089

Q Did you ever hear of Gauleiters getting reports from Heydrich or from Himmler a bout what was happening to the Jews in the East? Did any of your fellow Gauleiters ever tell you that they got reports regularly, say by the month or by the week?

A No. Those reports were no more accessible to Gauleiters than they were to the honorary leaders of the SS. I, as Obergruppenfuehrer of the SS, have never received a report or an instruction from Himmler.

Q Those Himmler reports were handled pretty carefully, weren't they?

I am now asking you -- as an SS Obergruppenfuehrer I suppose you know something about it -- were those Himmler and Heydrich reports handled very carefully?

A As an SS Obergruppenfuehrer I never received any of Himmler's reports. I know that all reports dealing with confidential SS matters were only sent to SS leaders who were serving in the SS. Only they received them, and not the honorary leaders.

Q Well, what I really asked you was whether or not the reports, when they were sent out, were very carefully handled. Do you know the answer to that?

A I don't know how these reports were handled; I don't know.

Q What was Heydrich's reputation, so far as you were concerned, in 1942? Did you think very well of him or did you think very poorly of him before he was killed?

A I only knew Heydrich from a few meetings in the Reich Youth Leader's Office, and the personal impression he made on me was good. My opinion about him must, perforce, be different today, but only today, after I know of his measures.

Q What was he doing in the Reich Youth Leader's Office the few times that you met him? What business did he have there?

A He, on his own initiative, had interfered concerning the question of homosexuality. Schirach had resented that and had told him to stop it. He told him that these matters too were, first of all, to come under his own jurisdiction.

Q You sat in on all of these conferences with Heydrich, no matter

H0141-0090

how many there were, did you not?

A I participated in one conference regarding the homosexuality question in the Hitler Youth Leader's office.

Q Tell us this. Did it appear to you, from what you saw and heard there, that Heydrich and Schirach were very friendly, or on a very friendly basis?

A That conference did not take place with von Schirach, but with one of the officials from the Reich Youth Leader's office who was talking to Heydrich as the Chief of the HJ Legal Administration.

Q Were you ever present when Heydrich talked to von Schirach? Were you ever present?

A No; no.

Q Did Heydrich ever talk to you, or rather, did von Schirach ever tal to you about Heydrich?

A No, I can't remember that.

MR. DODD: We have no further questions, Mr. President.

THE PRESIDENT: Dr. Sauter?

DR. SAUTER: I have no further questions.

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THE PRESIDENT: The witness may retire.

DR. SAUTER: With the permission of the President, I shall now call my next witness, Gustav Hoepken.

GUSTAV DIETRICH HOEPKEN, a witness, took the stand and testified as follows:

BY THE PRESIDENT:

Q Will you state your full name, please?

A Gustav Dietrich Hoepken.

Q Will you repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

THE PRESIDENT: You may sit down.

DIRECT EXAMINATION

BY DR. SAUTER:

Q Mr. Hoepken, I have already examined you on the Schirach case in the prison?

A Yes you have.

Q Will you please answer the questions in such a way that you will always wait a little after each question before you give your answer so that the interpreters can catch up?

A Yes.

Q How old are you?

A I am 36.

Q What does your father do?

A My father is a dock worker.

Q And yourself?

A I was a paper boy, dock worker, student, and sports instructor.

Q You are now in American detention, are you not?

A Yes, I am in American detention.

Q Since when?

H0141-0092

A Since the 19th of May, 1945.

Q Have the prosecution interrogated you about this matter?

A Up to now the prosecution have not interrogated me.

Q When did you join the Hitler Youth?

A I joined the Hitler Youth in 1933.

Q Please, will you always wait before you answer?

You joined the Hitler Youth in 1933?

A Yes.

Q How old were you at that time?

A At that time I was 23.

Q And in what capacity did you join?

A First as an ordinary Hitler boy, and in September of 1933 I became Unterbannfuehrer of the Hitler Youth.

Q Unterbannfuehrer?

A Yes, in September of 1933.

Q Was that your main occupation, or was that an honorary capacity?

A I worked as a sports instructor in the Hitler Youth.

Q Please, will you speak more slowly, and will you repeat that?

A From 1933 to 1935 I worked as a sports instructor in the Hitler Youth.

Q And in 1935?

A In 1935 I joined the Government Offices at Potsdam as an expert on PT in schools.

Q But that had nothing to do with the HJ, did it?

A At Potsdam I also looked after the Potsdam unit of the Hitler Youth, which I led.

Q That means that subsequently you were an employee of the State and, apart from that, an honorary leader of the HJ?

H0141 - 0093

From 1935 until 1939 I was a civil servant and as a result of this I led the unit of Hitler Youth at Potsdam.

Q You then wish to say up until 1939 you had not joined the Reich Youth Leader office, did you?

A In 1939 I joined the Youth Reich office and became Reichs Youth Leader under Von Schirach then in 1939.

Q And how long did you hold that office?

A Until August, 1939, and then I became a soldier.

Q Before you joined Schirach's staff did you not serve in the armed forces?

A Up until I joined Schirach in 1939 I had been about eight weeks in maneuvers in the air force, and apart from that I had no military training until then. I was not an officer.

Q So far as the other officers were concerned did Schirach attach importance to their being officers or trained soldiers?

A So far as I know Von Schirach did not attach any importance to it, that is, officers were either officers or soldiers to the country. It was his view and he told me repeatedly that soldiers and officers as far as he could see were leaders to the youngsters.

Q On the question of training of Hitler Youth I do not want to go into it interminably, I just want to ask you one single question, and that particular because you were sport instructor, or you are sport instructor officially. It is a question about the training of Hitler Youth in shooting. Were they trained militarily in that respect, or how were they trained?

A As far as shooting was concerned they were trained with sport weapons. They were not using military weapons for shooting.

Q In that case I won't put any further questions to you but there is one other thing in which I am interested and that is the relationship to the Church. Do you know, Witness, whether the defendant Von Schirach in 1937, that is, of the 14th of January 1937, issue of the Berliner Zeitung there was an article which his press officer, Mr. Kaufman, had written, and which was headed: "Can the Gap Be Bridged?" That article, a copy of which I have before me deals with a problem in which I am interested, and that is why I want to ask

H0141-0094

you: Do you know what Schirach had written through his press officer in that article about that question, whether the Leaders of Hitler Youth should consider the church service requirements or not?

A I know the article and I also know the order from the former Reich Youth Leaders stating that on Sundays there should be no duties in the H J, as all boys and girls who wanted to could visit the church service. Every boy and girl in the Hitler Youth of that time had the possibility of attending religious services of their own free will and he made it a duty for the H J Leaders at the time that there were not to be any arguments about any controversy of that kind. He prohibited that.

Q Mr. Witness, this is a point in that article on the 14th of January, 1937, but you know the defendant, Von Schirach, had certain difficulties because of this article, difficulties coming from Hitler. Will you tell us briefly what you know about it?

A After the Agreement between the Church and Hitler Youth had been made that article in the Berliner Tagesblatt, the day that article appeared, Von Schirach was in Rosenberg's office for the purpose of attending a meeting. At that time Schirach was called to the telephone to talk to Hitler, first of all because of the agreement between the Church and the H J and because of the publication of that article Schirach was reproached by Hitler, and to serve the purpose that the agreement should be cancelled in that way, further printing of that paper was to be discontinued, neither of which two purposes were achieved.

Q It was used to withdraw that article?

A So far as I know, yes.

Q In 1940, you together with Schirach went to dinner?

A No, I did not.

Q When did you?

A The first time I went to dinner was September, 1941.

Q Where had you been in the meantime?

A I have already told you in 1939 I became a service man for the air force and at that time I was a soldier. I was one of a group of flying instructors of the air force.

Q And then you did not join Schirach's staff until 1941, is that right?

H0141 -0095

A Yes, in September, 1941, I joined Schirach in Vienna.

Q The highest clergyman of the Catholic Church in Vienna is Cardinal Innitzer, right?

A Yes.

Q You know Von Schirach knew about Cardinal Innitzer and I will tell you right now why I am asking you this, whether it is true that Innitzer did interfere with the Hitler Youth and ordered it what to do and so on and so forth?

A Schirach told me repeatedly that he would like to have a talk with Cardinal Innitzer. He wasn't allowed to do so. He said, firstly, there was a decree from the Chief of the Party, Lieutenant Borhmann, who prohibited Gauleiters from getting into contact with higher officers of the Church. Actually, it was known to Schirach that he, himself, was under serveillance.

Q Schirach?

A Yes, Schirach was under surveillance and he knew if he would have such a discussion that it would certainly be known to Lieutenant Borhmann on the next day and that would have been unfortunate for us both, that is to say, Schirach as well as Cardinal Innitzer. On the other hand, it was Schirach's view that Cardinal Innitzer would certain also like to have had a talk with Schirach and Schirach thought that certainly would not have been the case if Cardinal Innitzer had not known of his own tolerant attitude toward the Church and the Christian Religion. It is furthermore known to me, and I think this happened in the winter of 1944-1945 that Cardinal Innitzer when returning from a mass was molested by youthful civilians. Cardinal Innitzer had the names of these youngsters established by the police, and it turned out that they were Hitler Youth Leaders. Still on the same day Schirach wanted the District Leaders of the Hitler Youth to come and see him and it was demanded from him that the Youth Leaders in question should be relieved of their duties at once, which, so far as I know was actually done. I can also remember that Schirach either personally or through one of his officials had a letter of apology sent to Cardinal Innitzer.

(The Tribunal adjourned until 28 May, 1946, at 1000 hours.)